



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:43 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: COMMISSIONERS GOYNES and McSWAIN (arrived at 5:48 p.m.)

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

MINUTES:

GARY LEOBOLD, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice.

Item 16 [GPA-4091]	Abeyance to 6/24/2004 Planning Commission meeting
Item 17 [ZON-4093]	Abeyance to 6/24/2004 Planning Commission meeting
Item 18 [VAR-4094]	Abeyance to 6/24/2004 Planning Commission meeting
Item 19 [SDR-4095]	Abeyance to 6/24/2004 Planning Commission meeting
Item 20 [ZON-4200]	Abeyance to 7/08/2004 Planning Commission meeting
Item 21 [SDR-4198]	Abeyance to 7/08/2004 Planning Commission meeting
Item 22 [ZON-4216]	Abeyance to 8/12/2004 Planning Commission meeting
Item 23 [VAC-4218]	Abeyance to 8/12/2004 Planning Commission meeting
Item 24 [SDR-4220]	Abeyance to 8/12/2004 Planning Commission meeting
Item 27 [VAC-4071]	Request to Table
Item 30 [ZON-4208]	Abeyance to 7/08/2004 Planning Commission meeting
Item 31 [VAR-4209]	Abeyance to 7/08/2004 Planning Commission meeting
Item 32 [SUP-4210]	Abeyance to 7/08/2004 Planning Commission meeting
Item 33 [VAC-4212]	Abeyance to 7/08/2004 Planning Commission meeting
Item 34 [SDR-4214]	Abeyance to 7/08/2004 Planning Commission meeting
Item 37 [VAR-4397]	Abeyance to 6/24/2004 Planning Commission meeting
Item 38 [SUP-4382]	Abeyance to 6/24/2004 Planning Commission meeting

Item 29 [MOD-4311]. MR. LEOBOLD stated that staff has agreed with the applicant to delete Condition 3 on this item.

Item 10 [MSP-4380]. The applicant requested removing this item from One Motion One Vote so a discussion could take place regarding revising signage standards.

City of Las Vegas

PLANNING COMMISSION MEETING OF JUNE 10, 2004 Planning and Development Department Briefing

Item 27 [VAC-4071]. A Letter of Request was not received; however, MR. LEOBOLD explained that the applicant experienced trouble with their fax machine. Therefore, the applicant indicated verbally over the phone that they are requesting this item to be tabled.

Item 36 [SDR-4375]. A new condition will be added to this item regarding the trail alignment on this project.

Item 15 [SDR-4204]. There will be a replacement of condition on Condition 16.

Item 25 [ZON-4215]. There will be a replacement of condition on Condition 4.

MR. LEOBOLD indicated that letters have been received in regards to the One Motion One Vote items, with the exception of Item 10 [MSP-4380].

GINA VENGLASS, Public Works, stated that on Item 35 [ZON-4374], there were revisions on Conditions 3, 4, 5 and 6. Regarding Item 46 [VAR-4384], Condition 5 was deleted. Regarding Item 51 [VAC-4476], a condition was added.

MEETING ADJOURNED AT 5:48 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

GARY LEOBOLD, Planning and Development, reiterated the items that the applicants have requested for changes, abeyances, tabled, or be removed from One Motion One Vote.

VICE CHAIRMAN NIGRO stated that he will vote on the abeyance for Item 20 [ZON-4200] and Item 21 [SDR-4198], but he will abstain from voting when these two items are presented to the Commission again for discussion, as they deal with Sterling S Development.

COMMISSIONER McSWAIN stated that she will vote on the abeyance for Item 20 [ZON-4200] and Item 21 [SDR-4198], but she will abstain from voting when these two items are presented to the Commission again for discussion, as they deal with Sterling S Development. In addition, she requested Item 8 [SUP-4351] be pulled from the One Motion One Vote for discussion purposes.

(6:01)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

SUBJECT:

Approval of the minutes of the May 13, 2004, Planning Commission Meeting

MOTION:

NIGRO- APPROVED - UNANIMOUS

MINUTES:

There was no discussion.

(6:02)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS A NBN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 10, 2004

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4341 – BRONCO ESTATES - APPLICANT: A. K. NIELSEN CONSULTANTS - OWNER: FLYING HIGH, LIMITED PARTNERSHIP - Request for a Tentative Map FOR AN 11-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.04 acres adjacent to the southeast corner of Bronco Street and Corbett Street (APN: 125-26-707-001 and 125-26-706-003), U (Undeveloped) Zone [R (Rural Density Road) General Plan Designation] under Resolution of Intent to R-D (Single Family Residential - Restricted) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 1 – TMP-4341

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2736).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Dedicate 15-foot radii at all four corners of Chandon Court and Bronco Street.
7. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
8. Site development to comply with all applicable conditions of approval for ZON-2735, SDR-2736, and all other subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City.

No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4355 - BRADLEY/RACEL - APPLICANT: SIGNATURE HOMES - OWNER: PLASTER DEVELOPMENT COMPANY, INC. - Request for a Tentative Map FOR A 16-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.00 acres adjacent to the northeast corner of Bradley Road and Racel Street (APN: 125-12-701-006), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 2 – TMP-4355

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-4075) and the Iron Mountain Ranch Master Plan Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. The City of Las Vegas does not accept Ingress/Egress areas as public easements/dedications. Show right-of-way continuous along Racel Avenue and Unicorn Street on the Final Map for this site.
7. Site development to comply with all applicable conditions of approval for Z-0016-98, SDR-4075 and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City.

No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4359 - SILVERSTONE RANCH PARCEL 7B - APPLICANT: PULTE HOMES - OWNER: PN II, INC. - Request for a Tentative Map FOR A 47-UNIT SINGLE- FAMILY RESIDENTIAL SUBDIVISION AND FOR A WAIVER TO TITLE 18.12.100 TO ALLOW 33-FOOT PRIVATE STREETS WHERE A MINIMUM OF 39 FEET IS REQUIRED on 19.87 acres adjacent to the south side of Monte Viso Drive, approximately 1,400 feet west of Rainbow Boulevard (APN: 125-10-710-001 through 022, 125-10-710-027 through 031), R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 3 – TMP-4359

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed. This includes the waiver to Title 18 to allow 33 foot wide private streets where 39 feet is required.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0075-91(13)] .
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Any easements in conflict with this site shall be vacated prior to the recordation of a Final Map for this site.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
8. The waiver of Title 18 standards to allow 33 feet wide private streets is acceptable if the curb on at least one side is constructed of red concrete, "Fire Lane No Parking" signs are provided in accordance with Section 901.4.2 of Ordinance #5115 to prevent parking on one side of the street, and the geometric design is approved by the Department of Fire Services. The curb coloring and signage must be privately maintained in perpetuity.
9. Site development to comply with all applicable conditions of approval for Z-75-91 and all other subsequent site-related actions.
10. An update to the previously approved Master Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 3 – TMP-4359

CONDITIONS Continued:

recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/ or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4360 - SILVERSTONE RANCH PARCEL 7D - APPLICANT: PULTE HOMES - OWNER: PN II, INC. - Request for a Tentative Map FOR A 78-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND FOR A WAIVER TO TITLE 18.12.100 TO ALLOW 33-FOOT PRIVATE STREETS WHERE A MINIMUM OF 39 FEET IS REQUIRED on 24.39 acres adjacent to the north side of Monte Viso Drive, approximately 550 feet west of Rainbow Boulevard (APN: 125-10-611-001), R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 4 – TMP-4360

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0075-91(13)] .
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Any easements in conflict with this site shall be vacated prior to the recordation of a Final Map for this site.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
8. The waiver of Title 18 standards to allow 33 feet wide private streets is acceptable if the curb on at least one side is constructed of red concrete and "Fire Lane, No Parking" signs are provided in accordance with Section 901.4.2 of Ordinance #5115 to prevent parking on one side of the street and the geometric design is approved by the Department of Fire Services. The curb coloring and signage must be privately maintained in perpetuity.
9. Site development to comply with all applicable conditions of approval for Z-75-91 and all other subsequent site-related actions.
10. An update to the previously approved Master Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 4– TMP-4360

CONDITIONS Continued:

11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4365 – SILVER CREEK - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION: - Request for a Tentative Map FOR A 246-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 40.05 acres adjacent to the northwest corner of Charleston Boulevard and Sky Vista Drive (APN: 137-22-000-010), P-C (Planned Community) Zone, Ward 2.

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 5 – TMP-4365

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Master Development Plan Review (MDR-3867), the Summerlin West Development Agreement (DA-0001-96) and the Revised Summerlin Development Standards, approved May 19, 2004.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. The overall subdivision map of Summerlin Village 24 must record prior to the recordation of a Final Map for this site.
7. All rights-of-way and easements that conflict with this development (such as the Nevada Power Company Easement and the Nevada Department of Transportation right-of-way shown on this Tentative Map) must be vacated or acknowledged and improved prior to the recordation of a Final Map for this site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 5– TMP-4365

CONDITIONS:

- or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
9. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
 10. Site development to comply with all applicable Summerlin Development and Improvement Standards.
 11. Site development to comply with all applicable conditions of approval for Summerlin Village 24 and all other subsequent site-related actions.
 12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4367 - DAY DAWN VISTA - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 94 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 15.17 acres adjacent to the southwest corner of Deer Springs Way and Fort Apache Road (APN: 125-19-701-007 & 008), T-C (Town Center) Zone and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 6 – TMP-4367

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for the Site Development Plan Review (SDR-3485).
3. The Tentative Map shall be revised to show a multi-use transportation trail along the west side of Fort Apache Road. The trail path shall consist of a 10-foot wide paved surface located five feet from the back of the street curb. Except at the bus turnout lane, five-foot amenity zones shall be located on both sides of the paved surface. At the bus turnout lane, the 10-foot wide paved surface shall transition to a location behind the curb with a five-foot amenity zone located behind the paved surface. No utilities shall be located within the paved surface.
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map reflecting the Conditions of Approval in this report shall be approved by the Planning and Development Department and Public Works Department city staffs. The Map shall be revised to reflect accurate data (e.g. amount of open space).
7. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

8. Dedicate 40 feet of right-of-way adjacent to this site for Deer Springs Way, 50 feet for Fort Apache Road, 40 feet for Bath Drive, a 54 foot radius on the southwest corner of Deer Springs Way and Fort Apache Road and a 25 foot radius on the northwest corner of Bath Drive and Fort Apache Road prior to the issuance of any permits. Dedicate and construct a bus stop on Fort Apache Road as required by the Department of Public Works, unless specifically noted as not required in an approved Traffic Impact Analysis.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 6 – TMP-4367

CONDITIONS Continued:

9. Landscape and maintain all unimproved rights-of-way on Deer Springs Way, Fort Apache Road, and Bath Drive adjacent to this site.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the Deer Springs Way, Fort Apache Road, and Bath Drive public rights-of-way adjacent to this site prior to occupancy of this site.
11. Site development to comply with all applicable conditions of approval for ZON-3481, SDR-3485, and all other subsequent site-related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TABLED - TENTATIVE MAP - TMP-3991 - REGENT AT TOWN CENTER (A CONDOMINIUM SUBDIVISION) - APPLICANT: BRENNER AND ASSOCIATES, INC. - OWNER: EL CAPITAN ASSOCIATES, LIMITED LIABILITY COMPANY -
 Request for a Tentative Map FOR A 284-LOT CONDOMINIUM DEVELOPMENT, INCLUDING 10 RETAIL UNITS on 15.2 acres adjacent to the southwest corner of Durango Drive and Dorrell Lane (APN: 125-20-201-024), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Land Use Designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Consent Item 1 [TMP-4341], Item 2 [TMP-4355], Item 3 [TMP-4359], Item 4 [TMP-4360], Item 5 [TMP-4365], Item 6 [TMP-4367] and Item 7 [TMP-3991] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 2 [TMP-4355] as her firm is still awaiting final retention payment from Signature Homes and Item 3 [TMP-4359] and Item 4 [TMP-4360] as her firm is involved in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:09 – 6:11)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 7 – TMP-3991

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0099-01(1)] and the Centennial Hills Town Center Development Standards Manual, and must comply with the approved development agreement for the site.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting street sections on the perimeter of the site meeting Town Center standards for sidewalks and amenity zones shall be approved by the Planning and Development Department and Public Works Department staff.
4. Street names must be provided in accord with the City's Street Naming Regulations, and addressing of the development must comply with addressing requirements for condominium development.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Site development to comply with all applicable conditions of approval for Z-99-01 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 7 – TMP-3991

CONDITIONS Continued:

approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4351 - APPLICANT: GREAT WESTERN COUNTERTOPS - OWNER: HLC INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED LIGHT ASSEMBLY AND FABRICATION FACILITY IN AN EXISTING BUILDING at 5000 Oakey Boulevard, Suite D12 (APN: 163-01-602-001 and 002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this application is for a Special Use Permit to allow the light assembly and fabrication use within 1,393 square foot space, including 262 square feet of office space. It is within approximately 32,000 square-foot office warehouse building, which is one of four on the site at the San Marcos Plaza business property. The total area is 82,873 square feet of office and warehouse uses. The current C-1 zoning complies with the Service Commercial land use designation. The reason for the Special Use Permit is the light

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 8 – SUP-4351

MINUTES – Continued:

assembly and fabrication is a conditional use within C-1; however, Condition 8 lists the specific types of fabrication uses allowed. The cabinet fabrication use is not within this list, which makes it a Special Use Permit requirement. The proposed project will have limited hours of operation and one employee. In addition, all City standards and Code requirements will be met, particularly in regards to noise and waste disposal. Staff recommends approval subject to five conditions. Three hundred and four notices were mailed, and no approvals or protests were received.

MATT SLATER, 5000 W. Oakey Boulevard, Ste. D-12, and JOHN LUCAS, Asset Manager, HLC Investments, 5000 W. Oakey Boulevard, appeared before the Commission to answer any questions.

COMMISSIONER McSWAIN explained she requested this item be pulled from One Motion/One Vote because she is presently renting an office complex, which is shared with a tenant who builds cabinets. Sometimes, she has had problems with the overwhelming fumes. She inquired what types of material would the applicant use and if there would be various chemicals used on the site. MR. SLATER replied that he would be using mostly plastic, i.e. corian countertops. There is a gluing process, but there will be no impact because the amount of business is minimal. MR. LUCAS confirmed the landlord owns the building.

COMMISSIONER McSWAIN pointed out that she would not have known about the fumes from a cabinet-making process can leave if she was not sharing an office with another tenant. These fumes can be worse than a hair salon if the proper ventilation does not exist. She questioned staff if there was a reason why “cabinet making” was left off the application. MR. SLATER commented that there are dust collectors and air filter systems that will filter the air in this proposed building. Additionally, their facility would be located at the rear of the property, and there are no highly improved offices in that area. Most of these units are office shops, approximately 250 square feet, and similar to this proposed facility. Should there be any complaints, MR. LUCAS assured the Commission appropriate action would be taken, such as limiting the hours when gluing occurs or increase the ventilation. COMMISSIONER McSWAIN thanked both MR. SLATER and MR. LUCAS for being present and addressing her concern.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:13 – 6:18)

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 8 – SUP-4351

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for a Light Assembly and Fabrication use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council
3. Conformance to the Conditions of Approval for Rezoning (Z-0015-97).
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4312 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED PUBLIC PARK on 10.0 acres adjacent to the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN: 138-27-301-019), U (Undeveloped) Zone [ROW (Right-of-Way) General Plan Designation] under Resolution of Intent to C-V (Civic) Zone, Ward 2.

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348].

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 9 – SDR-4312

MINUTES – Continued:

COMMISSIONER McSWAIN requested Item 8 [SUP-4351] be pulled from the One Motion/One Vote for discussion purposes.

GARY LEOBOLD, Planning and Development, stated that the applicant has requested Item 10 [MSP-4380] be removed from One Motion/One Vote so a discussion could take place regarding revising signage standards.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348].

(6:11 – 6:13)

1-296

CONDITIONS:

Planning and Development

1. All development shall be in conformance with the site plan and building elevations approved by the City Council, except as amended by conditions herein.
2. A revised site plan addressing the conditions of approval shall be administratively approved by the Planning and Development Department staff prior to approval of any permits, site grading, and any development activity on this site.
3. The revised site plans shall incorporate and show details of a drinking fountain, benches, shade, bicycle racks and path lighting placed along the trail corridor. Direct access from the trail to the restroom facilities through the parking lot or other acceptable routing shall be incorporated in the plan.
4. The revised landscape plan shall be amended to depict 36 inch box evergreen trees 25 feet on center within the planters adjacent to the north property line.
5. Landscaping and a permanent underground sprinkler system shall be installed and be permanently maintained in a satisfactory manner.
6. No turf shall be permitted in the non-recreational common areas.
7. All exterior lighting shall meet the standards of Title 19.08.060(C).

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 9 – SDR-4312

CONDITIONS Continued:

8. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting standards within the parking lot shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
9. If the basketball courts are lighted, the lighting shall not extend past 10:00 PM.
10. Handicap parking shall meet the minimum dimensions as required in Title 19.10.010, including van accessible parking requirements.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. All City Code requirements and design standards of the City must be satisfied.

Public Works

14. Coordinate improvements for Tenaya Way adjacent to this site with the City Engineer to ensure integration with the proposed Tenaya Way overpass project.
15. Site development to comply with all applicable conditions of approval for ZON-3910 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MASTER SIGN PLAN - PUBLIC HEARING - MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC. - Request for a Master Sign Plan FOR AN APPROVED SEXUALLY-ORIENTED BUSINESS (TREASURES GENTLEMEN'S CLUB) adjacent to the northwest corner of Westwood Drive and Red Oak Avenue (APN: 162-08-604-001 and 162-09-102-001 & 003), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting – Master Sign Plan Sign Criteria from Treasure's Gentlemen's Club

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he felt it was prudent to abstain since he has abstained in the past on previous items relative to this facility

To be heard by the City Council on 7/07/2004

NOTE: For the record, CHAIRMAN TRUESDELL stated that, in the past, he has represented the adjacent property owners on several occasions, and they are real estate bankers.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 10 – MSP-4380

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, stated that originally there were two Master Sign Plans that applied to the overall site. The overall development of the site is composed of three parcels, but the original Master Sign Plans only applies to two parcels. As a result, the original two Master Sign Plans will be replaced with one overall Master Sign Plan for the entire site. The new Master Sign Plan will allow an additional 40-foot freestanding sign on Highland Drive, as well as, specify some wall signage limitations for the development. This application was originally filed as a Special Use Permit [SUP-3907], but further review by the City Attorney's office, determined that a new Master Sign Plan should be filed.

The applicant requested that this item be removed from One Motion/One Vote. A late discussion with one of the designers today determined that a new Master Sign Plan criteria was submitted with the application, which will satisfy Condition 4, which entails making sure there is a consistent unified look to the base of the signage throughout the site.

Staff recommends approval subject to eight conditions, although previously there were nine conditions but Condition 4 has now been satisfied. Fifty-five notices were mailed, and no approvals or protests were received.

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He reiterated MR. LEOBOLD'S summarization of the proposed application. He pointed out that the freestanding sign meets all Code requirements. Using the overhead, he presented a Site Plan of the entire site, particularly indicating where the Treasure's facility is located, which was in the rear on the southwest corner parcel. The second parcel contains parking and runs all the way up to Presidio. The third parcel contains an office building along Highland. All parcels share cross access and parking agreements.

ATTORNEY JOE CANE, Lionel, Sawyer and Collins, 300 S. 4th Street, appeared on behalf of ALAN CREEL, who was present and is the Owner/Operator of Creel Printing. Creel Printing is adjacent to the proposed sign. ATTORNEY CANE stated that they object to the approval of the new Master Sign Plan due to the 40-foot proposed sign. He pointed out that the initial request for approval on this sign was Special Use Permit and Variance applications for an off premises sign, in which the item was on the 03-25-04 and 04-08-04 Planning Commission agendas. ATTORNEY CANE appeared on behalf of MR. CREEL at the March 25, 2004 meeting. He brought up the fact that the applicant is basically re-crafting this application in the form of a Master Sign Plan amendment. The situation is now reversed where staff was recommending denial and now they are recommending approval based on the three different parcels that are all part of Treasure's site

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 10 – MSP-4380

MINUTES – Continued:

development. ATTORNEY CANE believes the resurrection of this application under this theory only accolade to ATTORNEY ROWE being able to pull it off with staff. However, it is just the wolf in sheep's clothing because it is the same request being presented before the Commission. The Highland office building is not a Treasure's Gentlemen's Club; it is an office building being leased as office space. He also feels it is disingenuous for the applicant to suggest that this is part of the same site development and should be able to have this on premise sign without the off premise setbacks.

ATTORNEY CANE emphasized the possible impacts this proposed sign may have on his client, MR. CREEL. He used the overhead to indicate where the proposed sign is located in conjunction to where MR. CREEL has access to on Presidio. The main traffic should be directed where the main entrance is on Red Oak Avenue. This huge sign may distract or throw individuals off and cause them to go further down in an awkward direction to get to Creel Printing.

ATTORNEY CANE wanted to verify if this application could be appealed to City Council. If the Commission moved forward on this application, he and his client would like the opportunity to appear before the Council to state their arguments. VICE CHAIRMAN NIGRO replied that this item will be heard at City Council on July 7, 2004, regardless of what decision the Commission makes.

ALAN CREEL, Owner, Creel Printing Company, 2701 Westwood Drive, Las Vegas, stated that his company is one of the largest catalog and magazine printers in the southwest. The company has been in the City of Las Vegas since 1953. His company has had a long-term relationship with the City and has been a good neighbor, as well as, a good provider who has been a major part of the success of Las Vegas. They have over 400 employees. They have been in their current location on Presidio and Westwood for 37 years. The business operates 24 hours a day, seven days a week. MR. CREEL felt that the sign, which will sit 100 feet from their office, would greatly impact his business and other surrounding businesses in the area. In addition, the sign will impact the traffic flow. His business has anywhere from 8-12 semi trucks in the corridor where the proposed sign will be located. Presidio Street dead-ends into the parking lot of their office. One would have to turn left and go down a small dedicated forklift area to get into Treasures from Highland. MR. CREEL pointed out that this specific company has 12 billboard signs within a one-mile area from Oakey Boulevard to Spring Mountain Road, including an electrical sign on the freeway. There is an inundation of Treasure's signs on the

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 10 – MSP-4380

MINUTES – Continued:

street and cannot understand why a 40-foot electrical sign has to be placed within 100 feet of his office. The applicant already has a dedicated street called Red Oak Avenue. It is a two-lane street off of Highland, which goes right into the applicant's valet parking area. ATTORNEY CANE presented to the Commission a large diagram of the proposed sign.

ATTORNEY ROWE was disappointed in being characterized as disingenuous towards the staff and the City. He felt that they have worked hard and long on this application to ensure they are conforming to the Code and conditions. In addition, ATTORNEY CANE was informed more than two weeks ago that the applicant had filed this application again, and to express whatever concerns they might have had. ATTORNEY ROWE stated that the sign is going to cost over \$100,000. This side of town is not the most beautiful area in town, but the sign will be one of the nicest signs on Highland Drive. The other signs are taller and over 50 feet high and do not have the architectural features as the proposed sign. This sign maintains the theme and architecture of Treasures, so it will not be an eyesore in the community. One cannot see Treasures from Highland because everything is obstructed, so people have had to drive around in circles through the neighborhood just to find it. Using the overhead he pointed out MR. CREEL'S new facility located on I-215 and Jones. His existing facility on Highland has a sign indicating "For Sale or Lease, All or Part". ATTORNEY ROWE had asked ATTORNEY CANE about the sign, and his response was that he was not sure as to what exactly was for sale or lease. When ATTORNEY ROWE called the telephone number on the sign and spoke with GARY KASUFKIN he was given details of the cost and square footage of each building.

ATTORNEY ROWE felt that this protest was not based on any land use principles. He noted that the owner, MR. CREEL, would not be on the premises anyways.

MR. CREEL responded that they have four other storefront buildings on Highland. There are some buildings for sale in the area; however, the existing business is still manufacturing and trucks are delivering paper everyday. The forklifts are coming in and out of the facility. The newspaper division is staying at the current location. In addition, the master warehouse will remain on Presidio Avenue. The catalog and publication divisions were moved to the new 200,000 square foot facility near the beltway.

In response to COMMISSIONER EVANS' inquiry, ATTORNEY ROWE responded that the application is for the proposed sign, which would also clean up and incorporate three separate Master Sign Plans into one Master Sign Plan. MR. LEOBOLD concurred.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 10 – MSP-4380

MINUTES – Continued:

COMMISSIONER McSWAIN commented that she has the utmost respect for MR. CREEL and his business. He has always been diligent in maintaining his operations. However, she felt that regardless if MR. CREEL'S entire business relocated, the significance of this application is about the quality of the neighborhood. She was somewhat sympathetic to this application because the owner of the property also owns Treasures and he wanted to advertise his business. She also stated that it is not fair to characterize this as a cynical "Enron" because the bottom line is that the Master Sign Plan meets the Code. She has been made aware of the history on how this project evolved. Based on what the Commission is required to look at, she felt that she needed to support this application, as it meets the criteria and is an attractive sign.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:18 – 6:41)

1-545

CONDITIONS:

Planning and Development

1. The approvals for MSP-1409 and MSP-2565 shall be expunged.
2. Conformance to the sign elevations and Master Sign Plan Sign Criteria document as submitted in conjunction with this request, except as amended by conditions herein.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. The base of the new freestanding sign at Highland Drive and Presidio Avenue shall be detailed to match the bases of the existing freestanding signs at I-15 and Westwood Drive. The modification shall be reviewed and approved by Planning and Development staff.
5. The Master Sign Plan Sign Criteria document shall be modified to prohibit any additional Consolidated or Freestanding Signs, and shall include specific design guidelines for any future wall signage.
6. The raceway lighting shall not flash.
7. No additional freestanding or monument signs will be permitted along Westwood Drive.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 10 – MSP-4380

CONDITIONS – Continued:

8. No temporary signage shall be allowed on the parcels without the approval of a Temporary Sign Permit from the Planning and Development Department.
9. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4347 - APPLICANT: CANYON RIDGE CHRISTIAN CHURCH - Petition to Vacate a portion of Maverick Street, generally located between La Madre Way and Lone Mountain Road, Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348].

COMMISSIONER McSWAIN requested Item 8 [SUP-4351] be pulled from the One Motion/One Vote for discussion purposes.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 11 – VAC-4347

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that the applicant has requested Item 10 [MSP-4380] be removed from One Motion/One Vote so a discussion could take place regarding revising signage standards.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348].

(6:11 – 6:13)

1-296

CONDITIONS:

Planning and Development

1. All property owners must agree to this vacation request that proposes an offset 47-foot right-of-way and acceptable documentation must be provided to the City Engineer prior to recordation of an Order of Vacation. If such documentation cannot be provided, the 47-foot right-of-way width shall be centered about the centerline of Maverick Street.
2. Retain a 20-foot public sewer easement centered over the existing sewer line as required by the Department of Public Works. This condition shall not be enforced if an alternative sanitary sewer relocation plan is submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. The relocation must take place prior to the recordation of the Order of Vacation. Additional right-of-way or easements may be required if shown in the approved plan.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-3213 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 11 – VAC-4347

CONDITIONS – Continued:

7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4348 - APPLICANT MTC 118, INC. -
Petition to Vacate U.S. Government Patent Easements generally located north of Dorrell Lane,
west of Durango Drive, Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**NIGRO – APPROVED subject to conditions on Item 9 [SDR-4312], Item 11 [VAC-4347]
and Item 12 [VAC-4348] – UNANIMOUS**

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348].

COMMISSIONER McSWAIN requested Item 8 [SUP-4351] be pulled from the One Motion/One Vote for discussion purposes.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 12 – VAC-4348

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that the applicant has requested Item 10 [MSP-4380] be removed from One Motion/One Vote so a discussion could take place regarding revising signage standards.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SDR-4312], Item 11 [VAC-4347] and Item 12 [VAC-4348].

(6:11 – 6:13)

1-296

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-3840 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-3840, the Durango/Dorrell commercial subdivision and all other applicable site-related actions.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met; provided, however, conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 12 – VAC-4348

CONDITIONS Continued:

5. Easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided, if required.
6. All development shall be in conformance with requirements and design standards of all City codes.
7. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - PUBLIC HEARING - GPA-4072 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI - Request to amend the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan FROM: O (OFFICE) AND GC (GENERAL COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 10.95 acres adjacent to the southwest corner of Lone Mountain Road and Torrey Pines Drive (APN: 138-02-102-002 and a portion of 138-02-102-012), Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – UNANIMOUS with McSWAIN abstaining as her firm is currently doing work for the applicant, Richmond American Homes

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 13 [GPA-4072], Item 14 [ZON-4202] and Item 15 [SDR-4204].

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 13 – GPA-4072

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that a portion of this site is located within an area in which the General Plan Designation was changed to Office as a result of the Rancho Corridor Study. The General Plan Amendment was approved in April 2003. The Rancho Corridor Study was an attempt to rationalize land use and zoning throughout the entire Rancho corridor all the way out to Moccasin, where inherited zoning from the County dating back to the 1950's and then subsequent translations along with the development pattern as it emerged lent to some inconsistencies between land use zoning as to what was built and what was still available to be built on. The request for this General Plan Amendment is to MLA (Medium-Low Attached). The site would still be surrounded to the south and west by land that is general commercial and would result in incompatibility issues by having residential development that close to basically the most intense form of commercial that can be allowed.

Additionally, if it went to residential use on this site because of single family product, it would trigger a residential adjacency standard for whatever got built on the adjacent general commercial thereby limiting to some degree development opportunities if this site were not single family residential. This underlines the incompatibility issue and the undesirable difference in intensity. There was a neighborhood meeting held as required for General Plan Amendments on May 22, 2004. Nine people attended and they expressed concerns regarding access from Lone Mountain Road, having too many units, drainage and flooding issues, perimeter landscaping and they wanted to see some elevations. Staff recommended denial of the General Plan Amendment due to its incompatibility.

Regarding the zoning and Site Plan, MR. LEOBOLD explained that the rezoning is a request to go from O (Office) zoning category RE (Residence Estates) and C-2 (General Commercial) to an R-PD 11. This site is just less than 11 acres. Initially, the Site Plan was going to be 116 single family attached units, but it has been revised to 125 lots of single-family development. In addition, the pool area has been eliminated, open space has been reduced slightly from 3.17 acres to 2.13 acres, the building heights has been raised to three-story, setbacks have been revised to five feet for all sides of the lots and street layout has changed. MR. LEOBOLD pointed out that the information regarding the layouts was changed to four different elevations for single-family lots. He indicated that there is inconsistency on the lot size that would need to be rectified if this application should be approved.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 13 – GPA-4072

MINUTES – Continued:

Again, staff recommended denial for both the Site Plan and Zoning for the same reasons of incompatibility of the General Plan.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of Richmond American Homes. Using the overhead, he presented an aerial view of the proposed site, which consists of approximately eleven acres. To the north is Lone Mountain and on the east is Torrey Pines. To the south is a single-story BLM office building. Three out of the four corners in this particular area has been master planned for Residential development, but more importantly three are actually developed for residential development. That is why he believes it is appropriate to change the General Commercial/Office category on the eleven acres to a Residential component. The request is to change the General Plan Amendment to Medium/Low Attached, which will allow single family or attached family residential development. Initially when the application was submitted, a neighborhood meeting was held for the adjacent residents. The proposal was for an attached fourplex development, which was a two-story product and different builder, Royal Construction Spinnaker Homes. The residents' main concern was about access. They did not want any access taken out onto Torrey Pines. When the site plan is redesigned there will only be access on Lone Mountain. Another concern was in regards to drainage issues. When vacant properties are developed, they improve the drainage in surrounding areas. In addition, the residents wanted to ensure that the applicant would provide adequate landscaping for Lone Mountain and Torrey Pines.

ATTORNEY GRONAUER indicated that since the neighborhood meeting, the product was changed to a three story, up to 35 feet in height. Although it is a single family detached product, it is more like a detached condominium type of development. The price of these homes will start at approximately \$250,000. With close proximity to the commercial to the south of this site and the residential, this will have more of a transitional buffer to the residents in the area. It would also lessen the traffic because of residential and not commercial use.

BILL FRANCIS, Managing member of Torrey Pines Properties, LLC, owns the Bureau of Land Management (BLM) building, which is leased to the government. He has been unable to attend prior meetings on this application. His concern is the low water pressure. They have a five-acre development with approximately 12 toilets within the buildings. The pipes had to be oversized to allow for the toilets to flush and the service pipes had to be oversized also for the fire sprinklers to function properly. An additional 125 homes on this site using the same water line, could impact other surrounding property. Another concern is that the existing eight-inch sewer line may not be adequate. In addition, there is a concern with the adjacency requirements having a residential development next to a commercial development. The BLM building is a high security building. There is an eight-foot chain link fence surrounding it and security gates with card access. He presumed the applicant would build

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 13 – GPA-4072

MINUTES – Continued:

block walls right next to the security gates, which would defeat the security aspect because an individual can climb the wall and go over the gate. The BLM building is approximately 18 feet high at the front and approximately 21 feet at the rear. The proposed buildings will be at least 35 feet high, which is not compatible with the look in the area. There is a natural drainage path that crosses this property and goes on to his BLM property. BLM allows the drainage through their property and out on to Torrey Pines, but does not know if this can continue with the proposed project. MR. FRANCIS asked that the application be denied.

ATTORNEY GRONAUER responded that their intent is to utilize Lone Mountain for their water issues. Once approval is obtained for a residential or commercial development, the technical studies regarding drainage on this property would need to be done. The applicant will be providing the City with a water networking analysis. They do not feel there will be problems with water pressure or sewer. If it is not adequate the building will not move forward. Although this may be a tri-level type of development, it is still within the two-story height restrictions. Regardless if it is a single family subdivision of single and two story homes, the 35-foot height is still allowed on the two-story homes. Adequate buffer is being provided, as the buffers range from 18 to 26 feet. The applicant is willing to work with MR. FRANCIS regarding the security issues. The applicant is also willing to build an eight-foot wall instead of the standard six-foot wall, and work on the landscaping in the rear. The applicant felt that they have addressed and resolved the concern of the residents.

COMMISSIONER STEINMAN confirmed with MR. LEOBOLD that there is a provision that once a commercial or a multi-unit residential building exceeds 15 feet in height, then it generates residential adjacency standards with regard to adjacent land that is either developed with single family or has a general plan category that allows single family uses. MR. LEOBOLD pointed out that staff did not see the site plan until today and noticed that there is at least one other private drives that has more than six lots on it. This is covered under the conditions, but advised the applicant that he is required to sprinkle the houses. ATTORNEY GRONAUER concurred.

COMMISSIONER STIENMAN stated that the best solution would be to have commercial on the trapezoid piece behind the commercial parcel. The buffer of this residential at the corner of Torrey Pines and Lone Mountain Road is proper. The debate is how close do you come to Rancho Drive with the residential.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 13 – GPA-4072

MINUTES – Continued:

VICE CHAIRMAN NIGRO agreed with COMMISSIONER STEINMAN'S comments. It would make it a cleaner plan if it was going commercial, however the entire application needs to be looked at and what the owner, who owns the commercial piece, desires to do with his property. It is a good buffer between the commercial on Rancho Drive and the residential.

CHAIRMAN TRUESDELL stated he understands staff's position regarding the residential adjacencies. Since the applicant is acquiring the site and the property owner is selling it, whatever comes in on the front piece will remain. ATTORNEY GRONAUER replied that they have addressed those issues and have met the setback requirements.

COMMISSIONER EVANS stated that a year ago a number of landowners came forward and some exceptions were made. His concern is the adjacent property owners in the commercial designations because of the residential adjacency standards would impact their ability to do what they wanted to do with the property. He confirmed with ATTORNEY GRONAUER that both the owners have been notified. As part of the General Plan Amendment process everyone was notified and meetings have been held as required by Code.

COMMISSIONER EVANS asked why the applicant did not come forward a year ago when the study took place. MR. LEOBOLD noted that he was involved initially, but was completed by other planning staff. ATTORNEY GRONAUER noted that this is due to the market change. There are infill parcels. Cleaning up this intersection and address the residents' concerns, the proposed project is appropriate.

COMMISSIONER DAVENPORT asked MR. LEOBOLD what the height would be of the lot to the south. LEOBOLD replied that the adjacency standard will be three times the height of whatever the commercial use is. COMMISSIONER DAVENPORT questioned if there was a way to ensure that the applicant would be the property owner of the subject property and the adjacency standards would affect them, so they understand that the property owners have a right to be closer. MR. LEOBOLD replied there is no way to do that, except to look at it when the application is submitted. If there is an issue, then a variance could be requested.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 13 – GPA-4072

MINUTES – Continued:

In response to COMMISSIONER DAVENPORT’S suggestion of putting a condition on the deed, DEPUTY CITY ATTORNEY BRYAN SCOTT replied that it would be appropriate to go through the Variance process.

GINA VENGLASS, Public Works Department, requested that Condition 16 on Item 15 [SDR-4204] be revised that gated entry drives will not be permitted unless otherwise allowed by the City Traffic Engineer. MARGO WHEELER, Acting Director, Planning and Development, recommended an added condition that the approval is subject to the new plans and elevations submitted 06/08/04.

In addition, MR. LEOBOLD clarified that the Site Plan would be corrected to address the deficiency between the difficult lot size and the dimensioned lot size. ATTORNEY GRONHAUER understood and concurred with both the amended and added condition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 13 [GPA-4072], Item 14 [ZON-4202] and Item 15 [SDR-4204].

NOTE: All discussion for Item 13 [GPA-4072], Item 14 [ZON-4202] and Item 15 [SDR-4204] was held under Item 13 [GPA-4072].

(6:41 – 7:09)

1-1314

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING RELATED GPA-4072 - PUBLIC HEARING - ZON-4202 - APPLICANT: ROYAL CONSTRUCTION – OWNER: DIPAK K & KUSUM D DESAI - Request for a Rezoning FROM: O (OFFICE), R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) on 10.95 acres adjacent to the southwest corner of Lone Mountain Road and Torrey Pines Drive (APN: 138-02-102-002 and a portion of 138-02-102-012), Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is currently doing work for Richmond American Homes

To be heard by the City Council on 7/07/2004

MINUTES:

NOTE: See Item 13 [GPA-4072] for all related discussion.

(6:41 – 7:09)

1-1314

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4272) to a MLA (Medium Low Density Attached Residential) land use designation approved by the City Council.
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PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 14 – ZON-4202

CONDITIONS Continued:

2. A Resolution of Intent with a two-year time limit
3. A Site Development Plan Review application (SDR-4204) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct half-street improvements including appropriate transitional paving on Lone Mountain Road, Torrey Pines Drive and Rancho Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
6. Provide a public sewer stub at the southwest corner of this site at a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. Landscape and maintain all unimproved rights-of-way on Rancho Drive adjacent to this site.
8. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site prior to occupancy of this site.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site,

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 14 – ZON-4202

CONDITIONS Continued:

whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

**ABEYANCE - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW
 RELATED TO GPA-4072 AND ZON-4202 - PUBLIC HEARING - SDR-4204 -
 APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK AND KUSUM DESAI -**
 Request for a Site Development Plan Review FOR A 125-LOT SINGLE FAMILY
 DEVELOPMENT on 10.95 acres adjacent to the southwest corner of Lone Mountain Road and
 Torrey Pines Drive (APN: 138-02-102-002 and a portion of 138-02-102-012), O (Office), R-E
 (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD11 (Residential
 Planned Development - 11 Units Per Acre)], Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
 City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
 City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and revising Condition 16 as follows:

16. Gated entry drives will not be permitted unless otherwise allowed by the City Traffic Engineer.

And the following added condition:

- *The approval is subject to the new plans and elevations submitted June 8, 2004.*
- **UNANIMOUS** with McSWAIN abstaining as her firm is currently doing work for Richmond American Homes

To be heard by the City Council on 7/07/2004

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 15 – SDR-4204

MINUTES:

NOTE: See Item 13 [GPA-4072] for all related discussion.
(6:41 – 7:09)

1-1314

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4272) and a Rezoning (ZON-4202) to a R-PD11 (Residential Planned Development – 11 Units per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a six-foot wall along the perimeter of the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 15-gallon trees instead of 15" box trees located along the streetscape buffer in order to comply with Tree Spacing Alternative #3 for Single-family Residential development as outlined in the Landscape, Wall and Buffer Standards Manual.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. Air conditioning units shall not be mounted on rooftops.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 15 – SDR-4204

CONDITIONS Continued:

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4202 and all other subsequent site-related actions.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 15 – SDR-4204

CONDITIONS Continued:

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4091
– APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan
FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING RELATED TO GPA-4091 - PUBLIC HEARING - ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED for an 88 lot single family residential development on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [Proposed: R-PD5 (Residential Planned Development - 5 Units Per Acre], Ward 6 (Mack).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A waiver of perimeter landscaping requirements on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [Proposed: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4216 -
APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM:
U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on
17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN:
125-19-602-001, 003 thru 011), Ward 6 (Mack).

ABEYANCE TO AUGUST 12, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE AUGUST 12, 2004 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VACATION RELATED TO ZON-4216 - PUBLIC HEARING - VAC-4218 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located south of Dorrell Lane, west of Chieftain Street, Ward 6 (Mack).

ABEYANCE TO AUGUST 12, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **ABEYANCE TO THE AUGUST 12, 2004 PC MEETING**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4216 AND VAC-4218 - PUBLIC HEARING - SDR-4220 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN: 125-19-602-001, 003 thru 011), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack).

ABEYANCE TO AUGUST 12, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **ABEYANCE TO THE AUGUST 12, 2004 PC MEETING**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4215 -
APPLICANT/OWNER: PDF INVESTMENTS, LIMITED LIABILITY COMPANY, ET
AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-2 (Medium-Low Density
Residential) on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street
(APN: 125-24-602-001), Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

99

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission meeting – Protest petition with 87 signatures
5. Submitted at Planning Commission meeting – Protest letter from Bruce Doughty, Paradise Homeowners Association

MOTION:

EVANS – DENIED – Motion carried with McSWAIN abstaining as her firm is presently doing work for the owner of this property and NIGRO voting NO

To be heard by the City Council on 7/07/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [ZON-4215] and Item 26 [WVR-4217].

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 25 – ZON-4215

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated the initial application was for rezoning to R-2 due to the General Plan in the area is Medium Low. Subsequently, the applicant has met with staff and has revised the application from R-2 to R-1. The Site Plan has been redesigned; the number of lots has been reduced to eight, with the lot sizes ranging from 8,200 to 9,300 square feet. The applicant held a neighborhood meeting on May 22nd, and fifteen people were in attendance. Some of the concerns were that the development should be only single story and the exterior color should be earth tones. Those in attendance also indicated that they were in agreement with the access changing from Unicorn to Dorrell Lane. In addition, the landscaping is acceptable. Several residents wanted to retain the R-E zoning on this site, so they could continue to maintain horses on their property.

PAGE GROSS, 10994 Willow Valley Court, stated that the request was revised from R-2 to R-1 and have eliminated two of the lots. Therefore, the request is four to the acre. The request is compatible with the surrounding area, as there is a mix of R-1 and R-E in the area. Owners of the R-E (Estates) were concerned that the entrance was off Unicorn and wanted to keep the traffic off that particular area. Therefore, the entrance was rotated to Dorrell Lane. The lot sizes have been increased and some are a quarter of an acre with single story homes. In addition, there will be CC&R's, which will create a landscape area along Dorrell Lane and Unicorn of six feet, 25-inch box trees, and ground covers. This area will be maintained by the CC&R's. Being a native Nevada and seeing the growth in Nevada, MS. GROSS felt that having that freedom could either bring the neighborhood up or down, depending on what people's tastes are. MS. GROSS added that the residents do not want streetlights and staff suggested that the streetlights could be eliminated on Dorrell Lane and Unicorn, but stub the electricity for future use, if needed. Additionally, the community will not be gated.

JAMES and CATHY LARENK, 5121 Dorrell Lane, submitted a petition in protest and stated that the proposed project will have a direct impact on their property, which is located directly east of the proposed project. He moved specifically at this location so that they could have horses, larger lots and more privacy. If this project is approved, they will have four neighbors adjacent to their property. They have built block walls with specific ranch style fences for a ranch style home and have a large front and backyards. They just received permits from the City to add a garage conversion and to stucco their home. MR. LARENK also commented that this project does not have a buffer. MRS. LARENK also presented to the Commission photos of their property depicting improvements and upgrades that have been done and to show their property is not trailer trash.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 25 – ZON-4215

MINUTES – Continued:

BRUCE DOUGHTY, 4929 Meadows Encore, President of the Paradise Meadows II Homeowner's Association, stated that he purchased his home for the rural environment and its ambience, and they want their neighborhood to remain the same. The Waiver would encroach into their properties and is not appropriate.

MIKE SPRINGER, 5311 Dorrell Lane, pointed out to the Commission where his property is located. He opposed the application.

DR. ALFRED POSOS, 6865 Unicorn Street, resides near the proposed project. They moved in this area because of the ambience and the openness and the rustic atmosphere of the neighborhood. The proposed development would significantly change this area. In response to MS. GROSS statement regarding no control over what homeowners can do with their properties, he commented that there is an attitude of acceptance and responsibility and diversity that exist in this neighborhood.

LAWRENCE and JANICE SPENDLOVE, 6910 Unicorn Street, lives kitty corner to the property. They oppose the rezoning because the property directly to the north was before the City Council where discussion was held that Dorrell Lane would be a buffer zone, with no streetlights or sidewalks. The buffer zone was created so that the R1 would not be in their neighborhood. However, now they are fighting the same issue. Currently, the average homes in the neighborhood are over 40,000 square feet with some being over 100,000 square feet. This is a huge difference and is not compatible. MR. SPENDLOVE stated that COUNCILMAN MACK informed him that he is proposing an R-D ordinance that would allow any property 18,000 square feet and above could have horses. In addition, MRS. SPENDLOVE submitted a petition in protest. She stated that lots facing out on Unicorn are bigger than the proposed lots. The average lots in the area are three per acre. The R-1 is unacceptable to the area. She reminded the Commission that those residents most affected are present, and all oppose the project.

DALE GREEN, 6810 Unicorn Street, opposes the project because the applicant did not communicate with the residents. He was not invited to the meeting.

BRENDA VEMALA, 6805 Unicorn Street, lives outside of the notification area, but was notified by her neighbor. She opposes the project. She purchased their home because of the larger lots and the rural environment. The fact that there were no streetlights on Unicorn Street was a big reason for purchasing their home in this area. Even though the entrance will be on Dorrell Lane, traffic will still increase on Unicorn.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 25 – ZON-4215

MINUTES – Continued:

JEFF and LISA BURTONE, 6821 Unicorn Street, opposed the project. The proposed lot sizes are smaller than any homes in the surrounding area. They purchased their property to be in an area with larger lots where horses are allowed. They would like to see the zoning remain RE.

GARY DANNING, 5101 Dorrell Lane, has lived in the neighborhood for 18 years. He enjoys the rural neighborhood without the lights and also being able to ride horses.

KYLE CARTER, 6911 Unicorn Street, resides south of the proposed property. He bought the property so that he could have horses. There was nothing R-1 within two to three blocks from their home. They live a rural lifestyle and this project will create a problem. He opposes the project and would like the zoning to remain R-E.

MS. GROSS stated she finds it interesting that residents who live in R-1 areas no longer want R-1. In response to MR. and MRS. SPENDLOVE'S concern, she stated that they have four lots to the acre, but the applicant's rear property setbacks would be 20 feet, whereas the SPENDLOVES' setback for R-E is 5 feet. Even if the property remains R-E, there is nothing to stop them from subdividing it with all four lots facing Unicorn and four houses facing their backyard and placing two stories. They feel it would be better for an area to have something with CC&R'S because this will provide something that will maintain the neighborhood at a higher value.

COMMISSIONER GOYNES agreed with the residents' comments. Whenever a smaller project comes into an area that has horse properties, it creates problems, such as horse smell or flies. If something is built on this parcel, it should be compatible. If the zoning remains R-E, the builders will see the existing type of homes and their value and would want to build along those standards. Even if a future resident did not maintain his or her home, he felt these same residents would not have a problem getting together as a group and letting that resident know that he or she needs to clean up because that is how they want their neighborhood to remain. For these reasons, he would not be supporting this application.

VICE CHAIRMAN NIGRO mentioned that the applicant is willing to accept a condition to have only single story homes on this parcel. In his opinion, this would make a big difference in regards to privacy issues. In viewing the presented aerial map, he noticed mixed uses of R-1 next to R-E, including R-PD-3, and does not know why this application is any different than others that have been presented to the Commission.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 25 – ZON-4215

MINUTES – Continued:

He is not aware if the residents would support a two-story R-E development. There are horses that travel by R-1 developments all over the neighborhood. In addition, with the CC&R'S, it will maintain the quality in this area. With the added condition requiring single story homes, VICE CHAIRMAN NIGRO stated he would support this application.

COMMISSIONER EVANS commented that he can understand the residents' concern when they purchased their rural properties and developed them as horse estates with the expectation that the surrounding properties would be zoned similarly. In this instance, the proposed project has a greater density that changes the character of the area, at the displeasure of the residents. COMMISSIONER EVANS asked what are the parameters to change the zoning from R-E to R-1 since the master plan allows for a higher density. DEPUTY CITY ATTORNEY BRYAN SCOTT responded that the Commission could consider the residents' arguments in opposition to the zone change, as part of their consideration. He referenced Title 1918.0540 of the Code, which specifically states the four criteria to be taken into consideration in determining whether or not this rezoning conforms to the General Plan. He indicated that Paragraph K, Number one "The proposal conforms to the General Plan." Number two, "The uses which will be allowed on the subject property by approving the rezoning will be compatible with the surrounding uses and zoning districts." Number three "Growth and development factors in the community indicate the need for or appropriateness for the rezoning". Fourth, "The street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district". COMMISSIONER EVANS confirmed that the property owner immediately south of this proposed project did, in fact, speak earlier.

MR. LEOBOLD informed COMMISSIONER DAVENPORT that at the time when the prior development was taking place there were Rural Preservation buffer standards in effect that expired at the end of May and were State law that required the lots to be 1/3 acre and to have a 10-foot wall. MR. LEOBOLD was uncertain if it a requirement in the Builder's Plan or if it was something that Planning or Council had required. COMMISSIONER DAVENPORT commented that sometimes one has to be true to the statements made by the residents; therefore he would not support the application.

COMMISSIONER EVANS commented that it is a shame that, even with all the growth, rural areas such as these cannot be protected. He will not support this application.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 25 – ZON-4215

MINUTES – Continued:

COMMISSIONER STEINMAN noted that Dorrell Lane and the southern portion has big lots, then there are small lots in the middle, which does not make any sense. He appreciates the fact that the developer tried to make this work within the community, but does not think the project is appropriate and will not support it.

CHAIRMAN TRUESDELL asked MR. LEOBOLD if the Waiver would still be required if this application was R-E with four lots to the acre and the exit was off of Dorrell Lane. MR. LEOBOLD responded affirmatively because it is not based on the number of lots, but on the status of the 60-foot wide road. Because of the minimum lot requirement in R-E, which is 20,000 square feet, when the street dedications are taken out, they cannot achieve four 20,000 square foot lots with a cul-de-sac on a parcel this size. CHAIRMAN TRUESDELL felt that his understanding was that the neighbors want to have R-E, the Waiver would require a cul-de-sac off of Dorrell Lane. MR. LEOBOLD added that they would probably have to request an R-PD2, which would give the residents the lot sizes that they want, slightly under 20,000 square feet. An alternative would be an R-E with the Variance on the lot size.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [ZON-4215] and Item 26 [WVR-4217].

(7:09 – 7:45)

1-2480

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - WAIVER RELATED TO ZON-4215 - PUBLIC HEARING - WVR-4217 - OWNER/APPLICANT: PDF INVESTMENTS, LIMITED LIABILITY COMPANY, ET AL - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 186 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED in conjunction with a proposed 10-lot single-family residential development adjacent to the southeast corner of Dorrell Lane and Unicorn Street (APN: 125-24-602-001), R-E (Residence Estates) Zone [PROPOSED: R-2 (Medium-Low Density Residential) Zone], Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission meeting – Protest petition with 87 signatures
5. Submitted at Planning Commission meeting – Protest letter from Bruce Doughty, Paradise Homeowners Association

MOTION:

EVANS – DENIED – Motion carried with McSWAIN abstaining as her firm is presently doing work for the owner of this property and NIGRO voting NO

To be heard by the City Council on 7/07/2004.

MINUTES:

NOTE: See Item 25 [ZON-4215] for all related discussion.

(7:09 – 7:45)

1-2480

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC. - Request for a Petition to vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack).

SET DATE: 06/16/04/04

C.C. 07/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4247 - APPLICANT: TIM C. AYALA - OWNER: WEINGARTEN NOSTAT, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED, a Waiver to allow the square footage to be less than 1,500 square feet, AND TO ALLOW THE USE TO BE CLOSER THAN 200 FEET FROM A RESIDENTIALLY ZONED PARCEL at 849 South Rainbow Boulevard (APN: 138-34-717-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS with EVANS not voting

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the applicant is requesting to have the financial institution specified use, but they also need two waivers. One is because the premises is an 800 square foot tentative improvement within an existing retail building. It fails to comply with the 1,500 square foot building minimum required under the Code. In addition, it does not meet the 200-foot minimum separation distance from any parcels used or zoned for residential use.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 28 – SUP-4247

MINUTES – Continued:

MR. LEOBOLD added that this item was on the May 27th Planning Commission agenda, however, the applicant requested an abeyance in order to work with staff on the project. To the best of his knowledge, no changes have been made to the site plan nor has the applicant met with staff. As a result, staff recommended denial.

The applicant was not present. CHAIRMAN TRUESDELL confirmed with DEPUTY CITY ATTORNEY SCOTT that this item is Final Action, unless appealed. MARGO WHEELER, Acting Director, Planning and Development Department, informed the Commission that the applicant will be notified as to the action that took place. In addition, the next day staff sends out correspondence when there is time sensitivity, such as Final Action and the applicant can appeal within 10 days. CHAIRMAN TRUESDELL'S concern was that the applicant could still appeal and appear before the City Council even if the Commission denies the item. It is hard to comprehend when an applicant does not show up to represent the item, as staff spends a lot of time on these applications and residents attend these meetings.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:45 – 7:49)

2-456

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MAJOR MODIFICATION - PUBLIC HEARING - MOD-4311 -
APPLICANT/OWNER: LAND INVESTMENTS, LIMITED LIABILITY COMPANY -
Request for a Major Modification to the Lone Mountain Master Development Plan FROM:
NEIGHBORHOOD COMMERCIAL TO: MEDIUM-LOW RESIDENTIAL on 4.12 acres
adjacent to the northwest corner of Cheyenne Avenue and Hualapai Way (APN: 137-12-801-
006), U (Undeveloped) Zone [PCD (Planned Community Development General Plan
Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED subject to conditions and deleting Condition 3 –
UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, pointed out a correction in the backup documentation. The first paragraph of the staff's report should state "Medium Low". He indicated that the proposed major modification is inappropriate, as it will remove one of the last

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 29 – MOD-4311

MINUTES – Continued:

remaining pieces within the Lone Mountain plan that is available for any type of commercial development and replace it with single-family residential development. This is due to current market conditions, but staff feels there should be some local shopping opportunities within this area. Along the north side of Cheyenne there are few commercial sites. The intent of these Master Planned Communities and the intent of the Centennial Sector Plan was to concentrate commercial activities in certain areas, such as Town Center and along Rancho, to provide local shopping areas. Staff has worked with the applicant in tabulating (Table 1 - Figure 2 of the Plan) data relating to the density and unit thresholds. Should land become available and commercial is not an issue, there would be a surplus number of units available to build within this area, under the guidelines of the Lone Mountain Plan. Staff recommended denial on the application, but if approved, he suggested adding under Table 1, Figure 2a, which are maps, be replaced with accurate information.

MR. LEOBOLD mentioned that Condition 3 should be deleted as it incorrectly references a standard that only applies to the Lone Mountain West Master Development Plan, not Lone Mountain.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, and CALVIN CHAMPLIN appeared on behalf of the applicant. ATTORNEY FIORITINO disagreed with staff's comments and indicated that the request is an appropriate and compatible use. He concurred with all staff conditions.

ATTORNEY FIORENTINO pointed out that this is not a very good commercial site. This plan has been approved for a number of years and there has been no interest for commercial uses on this particular corner. It will not support compatible uses in the near time future, partly due to the good job the Commission has been doing in concentrating commercial uses in and around Town Center. There is still sufficient commercial to support the immediate community. Using the overhead, ATTORNEY FIORENTINO pointed out locations of approved Neighborhood Commercial immediately across the street on Hualapai Way. Secondly, the City Council recently approved the Wal-Mart shopping center, which will have substantial grocery and other retail uses. Thirdly, the applicant still controls another site, which is planned for commercial in a better location because it is near the interchange of 215 and Cheyenne. In addition, if approved, the applicant has to come back with a Site Plan Review, which would allow the Commission to give input on the design of the subdivision.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 29 – MOD-4311

MINUTES – Continued:

COMMISSIONER DAVENPORT asked staff if there would be enough commercial remaining to convert this to residential. MR. LEOBOLD replied that there are thresholds provided in the plan, approximately 3,448 units, and the map did not outline what constitutes Lone Mountain Plan now. It was an earlier version representing lands that were only controlled by the master developer at that time. Even if the current plan is compared to that smaller area, there is still a surplus of 290 residential units. Staff's concern was that if this area was converted to residential at 8 units to the acre, if there would be an adequate threshold in that portion of the plan policy to allow these units to occur. That is not the issue because there is enough thresholds. However, the issue is the loss of that commercial site.

COMMISSIONER DAVENPORT confirmed with ATTORNEY FIORENTINO that a Wal-Mart commercial site was approved within the last thirty days and will be located two blocks away from the proposed site. ATTORNEY FIORENTINO added that it is a slightly expanded grocery store, but not a Wal-Mart Superstore where they have sporting goods. He indicated that in the past staff's legitimate concern has been in this plan that as these pieces are brought together towards the end they will exceed the eight units to the acre. The applicant had to recalculate to ensure that if new homes are approved, the applicant has not exceeded the maximum. COMMISSIONER DAVENPORT asked if the parcel east of the project was approved as a condominium. MR. LEOBOLD replied that there is a commercial development on the front, and to the north is 58 single-family residential units. There are some pad site restrictions in terms of the size. Given the potential commercial use with a nearby K-Mart store and a possible neighborhood market, COMMISSIONER DAVENPORT stated he could support this application. MR. LEOBOLD pointed out that there will be another 3,500 units in the area, so there will be a substantial amount of population needing to be serviced in the area.

COMMISSIONER STEINMAN stated it makes sense to fill the frontage area of the property with residential use. He is not concerned with retail use to the west of this property. There is plenty of commercial use two miles away on Cheyenne and Rampart, which is more than adequate to service this particular area, and he will support the application.

CHAIRMAN TRUESDELL stated he would support this application. He also pointed out that when developers come to request commercial, it should be kept in mind that the Commission has systematically reduced the parcel on the east side of this intersection to retail with residential on the back. The concept of Town Center works, but neighborhood commercial opportunities are needed. But slowly the commercial has been eroded. These are long-term decisions and the Commission needs to be sensitive to how they made those decisions. He would be concerned if they could not place competitive grocery stores in this market because there was not sufficient commercial land available and that would not be the best thing for the residents.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 29 – MOD-4311

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(7:49 – 8:03)

2-575

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.
2. The revised Table 1, Figures 2 and 2A as contained in the body of this report, replace those in the current Lone Mountain Master Development Plan.

Public Works

3. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$31,888.80 towards the development of “Park #2” within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4208 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) TO: T-C (Town Center) on 25.35 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 008, 014 and 016), Ward 6 (Mack).

ABEYANCE TO JULY 8, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE to July 8, 2004 Planning Commission Meeting

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING - VAR-4209 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 1.07 ACRES OF OPEN SPACE WHERE 2.34 ACRES IS THE MINIMUM REQUIREMENT FOR A 142-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.49 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 007, 008, 013, 014 and 016), T-C (Town Center) Zone, U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U(Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

ABEYANCE TO JULY 8, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE to July 8, 2004 Planning Commission Meeting

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING - SUP-4210 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Special Use Permit TO ALLOW A GATED COMMUNITY WITH PRIVATE STREETS on 35.49 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 007, 008, 013, 014 AND 016), T-C (Town Center) Zone, U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U(Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) Zone [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

ABEYANCE TO JULY 8, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends ABEYANCE to July 8, 2004 Planning Commission Meeting

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO ZON-4208, VAR-4209, SUP-4210 AND SDR-4212 - VAC-4212 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
- Request for a Petition to vacate U.S. Government Patent Easements generally located south of Severance Lane, west of Tee Pee Lane, Ward 6 (Mack).

ABEYANCE TO JULY 8, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE to July 8, 2004 Planning Commission Meeting

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - PUBLIC HEARING - SDR-4214 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A 142-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.49 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 007, 008, 013, 014 and 016), T-C (Town Center) Zone, U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U(Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) Zone [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

ABEYANCE TO JULY 8, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE to July 8, 2004 Planning Commission Meeting

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4374 - APPLICANT: NEVADA HOMES GROUP - OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive (APN: 125-09-401-017 and a portion of 125-09-401-006), Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and amending the following conditions:

3. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton Drive *prior to the issuance of any permits as required by the Department of Public Works*. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
4. Construct half-street improvements including appropriate overpaving on Grand Teton Drive, including the widened median island on Grand Teton Drive, adjacent to *this site* concurrent with the first phase of development of this site as required by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Landscape and maintain all unimproved right-of-way on Grand Teton Drive adjacent to this site concurrent with development of this site.

PLANINNG COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 35 – ZON-4374

MOTION – Continued:

6. Obtain an Encroachment Agreement for all landscaping and private improvements located in the Grand Teton Drive public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

–UNANIMOUS

To be heard by the City Council on 7/07/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [ZON-4374] and Item 36 [SDR-4375].

STEVEN SWANTON, Planning and Development, stated that this proposal is to develop a 48 lot single-family detached residential subdivision. The subject property and proposed zoning is surrounded by land designated and compatible with the planned community development General Plan Designation, which allows up to eight units per acre. The proposed residential development will provide a buffer between the commercial corner west of Durango and Grand Teton and the abutting single-family residential development to the northeast and south of the project. Staff recommends approval subject to seven conditions.

Regarding the Site Plan Review, the minimum lot size is 2.920 square feet. A 20-foot equestrian trail is planned along the north and east property lines, as required by the General Plan. This proposed site meets and exceeds the Title 19 open space requirements. The development will feature one and two-story homes, which already exist in the area. MR. SWANTON read a condition into the record, in case City Council wishes to change the General Plan in order to move or remove the equestrian trail that is required for this site. That condition would read: *“If subsequent City Council action results in a change in location or removal of the required equestrian trail on this site, any subsequent revision to the Site Plan that does not result in an increase in the number of developable lots shall be reviewed and approved by the Planning and Development staff prior to submittal of a Tentative Map.”* Staff recommended approval.

ATTORNEY TOM AMICK, 3800 Howard Hughes Parkway, appeared on behalf of the applicant, Nevada Homes Group. He presented an aerial view of the site and stated that this is the second part of the Stewart Apollo commercial tavern application that

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 35 – ZON-4374

MINUTES – Continued:

was initially presented two and a half months ago. The initial proposal was to have all seven acres of the eastern portion to be commercial. However, at a City Council meeting, the applicant was allowed to have one additional acre as commercial, which now gave the applicant a total of three commercial acres and the remaining seven will be residential. The project is in compliance with what the City Council requested and is acceptable to the neighbors in the area. This project is similar to the one Nevada Homes Group is doing to the immediate north of this site.

ATTORNEY AMICK stated that staff is somewhat concerned with the location of the trail between two residential projects with six-foot walls, as it creates an alley effect. As a result, the trail may be moved from Grand Teton and placed it between the commercial section and the proposed project. The applicant is willing to relocate the trail, as long as the applicant does not have to go through the three to four month General Plan Amendment process. In addition, ATTORNEY AMICK was pleased that Public Works modified Conditions 3 through 6, which entailed the deletion of the off-site requirements for Durango. The applicant does not want to do the improvements for MR. STEWART because he has already been conditioned for those improvements. Those conditions have been listed as part of the motion.

MR. SWANTON pointed out that should a General Plan Amendment be initiated, the applicant would still have to go through ~~de~~ the Public Hearing process and hold a neighborhood meeting. In addition, the site plan must show the trail in its proposed alignment. That can be approved administratively as long as lots are not being added to the subdivision. ATTORNEY AMICK wanted to make sure that if the applications are approved and the City Council would like to see the trail there and the applicant agrees, when the applicant comes back with the Tentative Map, he would not have to wait three months for the realignment of the trail MR. LEOBOLD responded that if the trail is moved, it has to be done by a General Plan Amendment which is a process through Planning Commission and City Council. The GPA cannot be approved administratively.

CHAIRMAN TRUESDELL stated if the Commission approves the Site Plan and the Zoning and then decide to move the trail, would the applicant be held up. ATTORNEY AMICK emphatically agreed with CHAIRMAN TRUESDELL, as this is what they are trying to avoid from happening. MR. LEOBOLD responded that staff was trying to accommodate the applicant, as they have deadlines to meet. There are problems with having a trail in-between two block walls. MR. LEOBOLD reiterated that if the trail is moved it has to be done by a GPA. In response to VICE CHAIRMAN NIGRO'S query, MR. LEOBOLD responded that it would and the applicant would have to submit a

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 35 – ZON-4374

MINUTES – Continued:

new Tentative Map. ATTORNEY AMICK responded that the applicant would not oppose to submitting a Tentative Map that showed the trail along Grand Teton. The problem would exist if, once the Tentative Map were presented, the applicant would be asked to wait until a GPA on trail is approved.. Should this be the case, ATTORNEY AMICK requested that the trail remain in its current location. VICE CHAIRMAN NIGRO confirmed with MR. LEOBOLD that the Tentative Map would not even be accepted if the GPA were not done. With that confirmation, ATTORNEY AMICK requested approval of the application as presented. Then, if the Council decides to change the trail alignment, the applicant will deal with it at that time.

COMMISSIONER McSWAIN commented that for something that is not substantive in terms of distance and changing alignment, maybe another mechanism should be created to avoid this from happening. She could understand why this would be part of the GPA if it were a half mile away, as it would impact the area. However, this trail does not have a big impact on the area. CHAIRMAN TRUESDELL stated the main concern is what is in the best interest of the community how this trails aligns.

MR. LEOBOLD responded to VICE CHAIRMAN NIGRO'S query by stating that the trail would come up on the east edge of MR. WAGNER'S property and go across the north side. He added that when it was commercial, the trail would have a wall on the residential side and opened on the commercial side. Now, that it is going to be residential on both sides, there will be two walls creating a concern of possible criminal activity. Secondly, one would be riding a horse in a 20-foot wide corridor, which may make a horse nervous.

VICE CHAIRMAN NIGRO confirmed with MR. LEOBOLD that the trail starts at Grand Teton heading west to Durango, then takes a 90° turn to the north, then a 90° turn to the west, and then crosses the commercial property, and turns 90° heading north on Durango. This was to avoid having the horses ride along a substantial commercial frontage.

CHAIRMAN TRUESDELL stated that he believed when this application was previously before the Commission regarding design and zoning, part of the negotiation was to move the trail to the north. There was a proposed mini storage for this site, and the argument was where to place the trail. Now, the applicant has presented a residential component for this site, which is what the majority of the Commission and the neighbors wanted. ATTORNEY AMICK responded that he does not know how the neighbors feel about having the trail on Grand Teton now that this will be a residential project. When it was a commercial application, the neighbors did not want the trail on Grand Teton.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 35 – ZON-4374

MINUTES – Continued:

VICE CHAIRMAN NIGRO stated that he is unsure of which is worse, having the alley effect or taking the horses through a busy commercial intersection. His inclination would be to approve the application as submitted. CHAIRMAN TRUESDELL has a great deal of concern regarding the walls because of the possible negative activity that could take place. He believes they are attempting to place the right product on this parcel but the trail is an issue. MR. LEOBOLD responded, if timelines were not a consideration, then the ideal solution would be to move the trail south of the residential site and go up the east side and across the north side of the commercial portion. ATTORNEY AMICK stated there does not have to be a block wall on the north and south sides, which would eliminate the canyon/tunnel effect.

COMMISSIONER STEINMAN asked if the trail could go up Grand Teton, go east and then head up on Durango. CHAIRMAN TRUESDELL reiterated that the trail cannot be moved without a General Plan Amendment. DEPUTY CITY ATTORNEY SCOTT added that the Council does not have the ability to waive the General Plan Amendment.

Using the overhead, ATTORNEY AMICK showed COMMISSIONER McSWAIN where the tunnel effect would be on the site. She feels, without having a block wall on both sides, it would make it more attractive, as well as, open the area up and the neighbors could benefit from whatever landscaping that would be there. There would be good access to the commercial area, and ATTORNEY AMICK stated his applicant would be willing to provide the access to the trail for the residents that live in this community. He asked that the Commission add a condition to not have the block wall on both sides.

MR. LEOBOLD responded to COMMISSIONER EVANS that a deed restriction may be required to prevent subsequent purchasers from putting up a block wall once they moved in. DEPUTY CITY ATTORNEY SCOTT opined that he does not believe a deed restriction would work, but the CC&R's could be amended to conform to this. ATTORNEY AMICK added that the City Attorney could review the CC&R's if so desired.

JOE MARTINO, 7955 Quail Heaven Street, President of the Homeowners Association at Carriage Park Community, which is directly south on the other side of Grand Teton. He stated that the residents opposed the STEWART APOLLO for the commercial application, but they support the residential application. This is exactly what the neighbors would like to see.

GINA VENGLASS, Public Works, confirmed with DEPUTY CITY ATTORNEY SCOTT that the amended conditions removing the improvements and requirements along Durango Drive do not need to be read into record, since the applicant has reviewed the conditions and concurred.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 35 – ZON-4374

MINUTES – Continued:

COMMISSIONER McSWAIN asked if the conditions need to be added or modified to address a site development of the trail by eliminating the block wall. MR. LEOBOLD responded that a condition could be crafted that no block walls along the side yards and supported by CC&R's provisions under the HOA along the property line contiguous with the trail. DEPUTY CITY ATTORNEY SCOTT advised that staff could work out that language between now and City Council. ATTORNEY AMICK concurred with this added condition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 35 [ZON-4374] and Item 36 [SDR-4375].

(8:03 – 8:26)

2-1048

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-4375) by the City Council prior to the issuance of any permit or site grading, whichever occurs first.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton, an additional 20 feet for a total half-street width of 50 feet on Durango Drive, and a 54-foot radius at the northeast corner of Durango Drive and Grand Teton Drive prior to the issuance of any permits as required by the Department of Public Works. Additional dedications in accordance with Standard Drawing #201.1 and dedication for a bus turn out shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
4. Construct half-street improvements including appropriate overpaving on Durango Drive and Grand Teton Drive, including the widened median island on Grand Teton Drive, adjacent to the overall site concurrent with the first phase of development of this site as required by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Landscape and maintain all unimproved right-of-way on Durango Drive and Grand Teton Drive adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 35 – ZON-4374

CONDITIONS – Continued:

6. Obtain an Encroachment Agreement for all landscaping and private improvements located in the Durango Drive and Grand Teton Drive public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4374 - PUBLIC HEARING - SDR-4375 - APPLICANT: NEVADA HOMES GROUP - OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 48-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive (APN: 125-09-401-017 and a portion of 125-09-401-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre], Ward 6 (Mack).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following condition:

- *There shall be no block walls along the side yards along the property line contiguous with the trail supported by CC&R's provisions under the HOA – UNANIMOUS*

To be heard by the City Council on 7/07/2004.

MINUTES:

NOTE: See Item 35 [ZON-4374] for all related discussion.

(8:03 – 8:26)

2-1048

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 36 – SDR-4375

CONDITIONS – Continued:

Planning and Development

1. A Rezoning (ZON-4374) to an R-PD7 (Residential Planned Development - 7 Units per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 5 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is proposed; a minimum of 18 feet or a maximum of 5 feet to the face of the garage door from back of sidewalk or from back of curb if no sidewalk is proposed; 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to depict a six-foot screening wall along Grand Teton Drive.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 36 – SDR-4375

CONDITIONS – Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. Site development to comply with all applicable conditions of approval for ZON-4374 and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 36 – SDR-4375

CONDITIONS – Continued:

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4397 - APPLICANT: SUNRISE ADULT DAY CARE, INC. - OWNER: KINDER CARE LEARNING CENTER, INC. - Request for a Variance TO ALLOW 10 PARKING SPACES WHERE 19 SPACES IS THE MINIMUM REQUIRED ON 0.54 ACRES at 4944 Vegas Drive (APN: 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4397 - PUBLIC HEARING - SUP-4382 - APPLICANT: SUNRISE ADULT DAY CARE, INC. - OWNER: KINDER CARE LEARNING CENTER, INC. - Request for a Special Use Permit FOR A PROPOSED SOCIAL SERVICE PROVIDER IN AN EXISTING BUILDING located at 4944 Vegas Drive (APN: 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

CC 7/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 16 [GPA-4091], Item 17 [ZON-4093], Item 18 [VAR-4094], Item 19 [SDR-4095], Item 37 [VAR-4397] and Item 38 [SUP-4382] to 6/24/2004 Planning Commission meeting; Item 20 [ZON-4200], Item 21 [SDR-4198], Item 30 [ZON-4208], Item 31 [VAR-4209], Item 32 [SUP-4210], Item 33 [VAC-4212] and Item 34 [SDR-4214] to 7/08/2004 Planning Commission meeting; Item 22 [ZON-4216], Item 23 [VAC-4218] and Item 24 [SDR-4220] to 8/12/2004 Planning Commission meeting and TABLE Item 27 [VAC-4071] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters were received for each request.

(6:03 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4386 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS - Request for a Variance TO ALLOW REAR SETBACKS OF ZERO FEET AND 10 FEET WHERE 15 FEET IS REQUIRED, AND TO ALLOW LOT COVERAGE OF 55 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED for a proposed office building and detached parking structure on 1.12 acres at 706, 710, 712, and 714 South Tonopah Drive (APN: 139-32-803-005 through 008), PD (Planned Development) Zone [P-O (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – **UNANIMOUS** with **TRUEDELL** abstaining as the architect representing this project is currently completing a project for his client

To be heard by the City Council on 7/07/2004.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 39 [VAR-4386] and Item 40 [SDR-4385].

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 39 – VAR-4386

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, used the overhead and pointed out that the project has the office component on the base of the “L” shape with the parking structure oriented to the back. The project is built to the lot line, and the surface parking is related to the other medical uses in the area. The Variance is to get the setbacks and the lot coverage relaxed to allow this to happen. The land use classifications in the medical district have the restricted setbacks and coverage requirements to protect residential uses within that medical district and to soften the intensity of land uses on the outside perimeter of the medical district. This property does not abut any residential properties nor is it located at the edge of the medical district. Staff felt that the Variance is appropriate, as other offices and medical uses surround the project, and the parking areas are directly adjacent to the site and north of the site. Staff recommended approval on the Variance.

Regarding the Site Plan, there are Waivers. When the setbacks are reduced, the landscape buffer requirements also have to be reduced. The applicant owns and operates the complex immediately south of this project. Staff recommended approval.

ATTORNEY JEFF ALSBROOKS, Attorney, Koch, Collins & Gensburg, 1701 W. Charleston, Ste. 550, appeared on behalf of the applicant with the architect, CALVIN HAYWOOD. ATTORNEY ALSBROOKS concurred with staff’s conditions.

COMMISSIONER McSWAIN asked what type of landscaping would be along the garages because it seems to be more expansive than the actual building. ATTORNEY ALSBROOKS indicated that they are prepared to abide by all the conditions, but he does not believe that was an issue. MR. LEOBOLD clarified that the main level is to the lot lines and the structure in the back is set ten feet. The surface parking to the north and west, as well as, the “L” shaped south and west of the site. The parking areas are not visible from the street, other than to the north where there is the existing surface parking lot. Staff’s concern was that they met the landscaping standards on the street. The Medical District has some specific standards for sidewalk width and landscaping, which the applicant meets.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 39 [VAR-4386] and Item 40 [SDR-4385].

(8:26 – 8:36)

2-1931

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 39 – VAR-4386

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-4385.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4386 - PUBLIC HEARING - SDR-4385 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 19,540 SQUARE-FOOT, TWO-STORY OFFICE BUILDING AND A PROPOSED 54,161 SQUARE-FOOT, THREE-LEVEL DETACHED PARKING STRUCTURE on 1.12 acres at 706, 710, 712, and 714 South Tonopah Drive (APN: 139-32-803-005 through 008), PD (Planned Development) Zone [P-O (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining as the architect working on this project is also completing work for a client of his

To be heard by the City Council on 7/07/2004.

MINUTES:

NOTE: See Item 39 [VAR-4386] for all related discussion.

(8:26 – 8:36)

2-1931

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 40 – SDR-4385

CONDITIONS:

Planning and Development

1. The request for a Variance (VAR-4386) shall be approved by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as approved by a variance, waiver, or as amended by conditions herein.
3. The site plan shall be revised to reflect details of the development to show compliance with the Medical District and Zoning Code design standards. The plan shall be approved by the Planning and Development Department staff prior to the time application is made for a building permit.
4. The landscape plan shall be revised to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center. A minimum of four five-gallon shrubs for each tree shall be planted within planter areas. The streetscape treatment shall conform with the minimum requirements specified in the Medical District Plan. The landscape plan shall be approved by the Planning and Development Department staff, prior to the time application is made for a building permit.
5. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.
6. All mechanical equipment, air conditioners, and trash areas shall be fully screened from view of Tonopah Drive.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 40 – SDR-4385

CONDITIONS – Continued:

11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. All City Code requirements and design standards, except otherwise provided by the Planning Commission and City Council, shall be met.

Public Works

13. Coordinate with the City Surveyor to determine whether a Reversionary Map or Merger and Resubdivision Map is necessary; if such map is required it should record prior to the issuance of any building permits for this site.
14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City and Las Vegas Medical District Design Standards concurrent with development of this site.
15. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.
16. Structures shall not be located within existing or proposed public sewer or drainage easements.
17. Submit a plan for approval by the City Engineer depicting the relocation of the existing public sewer line crossing this site prior to the submittal of any construction drawings; new easements for the relocated sewer line must be granted prior to the approval of construction drawings.
18. Landscape and maintain all unimproved right-of-way on Tonopah Drive adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tonopah Drive public right-of-way adjacent to this site prior to occupancy of this site.
20. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 40 – SDR-4385

CONDITIONS – Continued:

22. Site development to comply with all applicable conditions of approval for Z-20-97 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4377 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 78 PERCENT OF THE TOTAL FLOOR AREA OF A LIVE/WORK UNIT TO BE USED FOR RESIDENTIAL PURPOSES WHERE 50 PERCENT IS THE MAXIMUM ALLOWED in conjunction with a proposed 30-unit multi-family Live/Work development on 1.66 acres adjacent to the northwest corner of Carson Avenue and Maryland Parkway (APN: 139-34-712-111; 139-35-310-006 and a portion of 139-35-310-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 41 [VAR-4377], Item 42 [SUP-4376], Item 43 [VAC-4419] and Item 44 [SDR-4373].

STEVEN SWANTON, Planning and Development Department, stated that the three story live/work units allow the business owners downtown the ability to live and work in the same space. The intention of the Live/Work Ordinance was to have the residential use be an accessory to the commercial use in the units. However, in this case, approximately 400 of the 1,900 square

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 41 – VAR-4377

MINUTES – Continued:

feet per unit will be used for residential purposes. As a result, the applicant has requested the Variance. Although the residential component is larger than the commercial component, it will not intrude on the commercial component. The top two floors will be occupied by the residential component. The project complies with the Live/Work Ordinance so staff recommends approval, subject to two conditions.

A Special Use Permit is required for all Live/Work units that are proposed outside of the Arts District. Staff recommended approval of the Special Use Permit.

MR. SWANTON added that there is a proposal to reduce the radius at the corner of 11th Street and Carson from 25 feet to 12 feet in order to permit the placement of the footprint of the western most units. A new location map was submitted with back up documentation for VAC-4419. Staff recommended approval and added a condition on the Site Plan regarding a requirement to construct a 6 foot masonry wall along the north property line in order to buffer the parking lots. Staff recommended approval of the Site Plan Review.

CHAD VALLINGA, 3445 S. Valley View, concurred with staff's recommendations, with the exception of Conditions 3, 4 and 7 on Item 44 [SDR-4373]. MR. VALLINGA stated that one of the unique aspects of this project is that it is located in the Downtown Redevelopment District, but the applicant is not requesting any monetary funds from the City to develop this site in the redevelopment area. He also reiterated the MR. SWANTON'S synopsis of the project and felt that it falls in line with a statement once made by MAYOR GOODMAN in the November 2003 Newsweek magazine, where he encouraged redevelopment. Individuals, such as architects, engineers, lawyers and accountants could use these types of spaces; even a law student graduate could relocate here and work.

MR. VALLINGA stated that the architecture on this project is metropolitan and would fit well in this redevelopment area. These units will provide approximately 444 square feet of office space on the first floor, in addition to a two-car garage. The second floor would be the living and kitchen area, and the third floor would be the master bedroom corridor.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 41 – VAR-4377

MINUTES – Continued:

Condition 3 of Item 44 [SDR-4373] pertain to a perimeter block wall between this site and the north parking lot. The applicant would like to place a light-emitting fence. Using the overhead, he presented a photo depicting a chain link type material that is very transparent and allows the light to resonate through. They would rather have that as opposed to a block wall. Condition 4 requires a block wall around some of the perimeter of the site. He asked that a light emitting fence to be used in this area as well.

Condition 7, the applicant would like for the condition to read as follows: *“The elevations shall not be revised and approved by Planning and Development Department staff prior to the time application is made.”* MR. VALLINGA stated that what the applicant is submitting is what they are going to build, but the condition implies that staff is going to revise the elevations. MARGO WHEELER, Acting Director, Planning and Development, clarified for staff and the Commission that the condition is not an error. She indicated that the community urban designer would, in fact, like to work with the applicant to ensure some revisions to the elevations so that the goals of the Downtown Redevelopment Plan are better met.

CHAIRMAN TRUESDELL stated that the goals of the Downtown Redevelopment Plan may be somewhat contrary to the applicant’s designing goals, and the goal is to try to craft the condition more clearer to ensure the Commission gives the applicant good directions. MR. VALLINGA concurred. MR. LEOBOLD stated that the standard requirement for perimeter fencing is that chain link fencing is not allowed. Staff would not have a problem with a transparent fence if it was wrought iron or some ornamental design. MR. VALLINGA responded that the proposed fencing is not a traditional chain link fence and does not have the post. It is a chain link that is mounted into a metal frame bracket and it is a painted material, and does not come across as being a galvanized chain link fence. CHAIRMAN TRUESDELL replied that staff could work with the applicant on the design standards. MR. LEOBOLD suggested that staff could work with the applicant between now and City Council. MS. WHEELER pointed out the staff’s report specifically references welded metal fence, the same term that the applicant just used. The staff report indicates that that is acceptable. However, staff has a problem with regard to the use of the Galvalume steel panels. The material is the issue that the urban designer wishes to work with the architect and to come up with some modified elevations, as reference in Condition 7.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 41 – VAR-4377

MINUTES – Continued:

COMMISSIONER McSWAIN commended the applicant on presenting a great concept and believed that no one opposed the idea of the live/work units. She thinks the project is good. However, there are some who are not familiar with the types of materials that have been mentioned. On paper, the applicant's drawings appear to be stark and very cold. The Commission wants quality redevelopment but not something that would not compliment the downtown area. She assured the applicant that there will be clarification and direction, but the Commission cannot design this project at this meeting. MR. VALLINGA understood and stated the applicant did not want to commit to something and then staff to redesign the canvas. He also presented photos to the Commission of projects that the applicant worked on. The applicant has extensive amount of experience with developing this type of product throughout the country and in major metropolitan areas. In fact, his work has been featured in several architectural digests and magazines.

CHAIRMAN TRUESDELL commented that he viewed the website and viewed the buildings. He stated that the Commission wants architects to present their best products and developments; only sometimes when the project is presented, there is an uncertainty in what was actually desired.

COMMISSIONER McSWAIN added that she visited a campus in Washington, in which the entire campus was done with cement but very contemporary and all angular in the middle of a very dense forest. It was absolutely beautiful, but in Nevada, it would have looked like schlock. It would also probably look good in Atlanta where there is greenery and trees, which are things that contrast these materials. Right now, in Nevada, the only thing to contrast these materials is the sun. It is a matter of respecting the environment in which this project will be located. She felt that no one was trying to insult the architecture or the drawings, but careful consideration should be used in finding the appropriate materials.

COMMISSIONER EVANS stated that this project is the concept that has been desired and is the appropriate site for the project. However, his concern is about the architectural renderings. Whether the fence is metal or not, it still looks like a chain link fence. There are many other options that would allow the light to come through. If the photos depicted more landscaping, it would perhaps have more of an appeal. He reiterated COMMISSIONER McSWAIN'S comments and asked the applicant to keep in mind that the City has urban designers and would like the applicant to work with them.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 41 – VAR-4377

MINUTES – Continued:

MS. WHEELER confirmed with VICE CHAIRMAN NIGRO that staff will work with the applicant to come up with some recommendations prior to the City Council meeting. MR. VELLINGA concurred and added that the applicant is providing material that will hopefully provide sustainable enduring effects 20 or 40 years down the road. In addition, this product has very low maintenance and will have a lasting visual impact. VICE CHAIRMAN NIGRO replied that the Commission supports the differentiation of the project and thinks it is a good idea. It is not staff's intent to completely redesign the applicant's plan, but rather work with the applicant in finding the appropriate materials.

COMMISSIONER STEINMAN stated that he is not familiar with the Live/Work concept. His understanding is that the intent is to provide an adequate work area; when the work area is reduced to more than half, such as this request, then a very small work area is left with an abundance area of living space.

MR. VALLINGA replied that profits from a mortgage payment made on a project like this are very comparable to that of the Executive Suites.

COMMISSIONER STEINMAN then stated it is difficult to believe an individual would want 400 square feet of workspace on the ground level and then live above the work area. MR. LEOBOLD addressed COMMISSIONER STEINMAN'S concerns and commented that he attended a conference in San Diego, California, and went on a tour in San Elijo Hills to visit a similar to this project with regards to the shape. It is three stories high with the ground floor as live/work with residential above. It is 26 units to the acre and the first phase already sold out. He also stated that the main floor is approximately 400-800 square feet and the units have rear-loaded garages and some have tandem garages. COMMISSIONER STEINMAN then replied that there is a possibility that the Code may have stipulated too high a number for office space at 50%. MR. LEOBOLD agreed, especially for this type of project, it is too high.

MS. WHEELER clarified Condition 4 on Item 44 [SDR-4373] for CHAIRMAN TRUESDELL and MR. VALLINGA that it is a block wall, which may have light emitting portions. The Code does not have a provision for the mesh as the full perimeter wall, but may have portions of the mesh. COMMISSIONER EVANS recommended leaving the condition as is and for the applicant to work with staff prior to City Council. COMMISSIONER McSWAIN concurred. MR. VALLINGA expressed his willingness to work with staff hoping that staff keeps an open mind and remembers that the goal is to provide something that will attract individuals to live and work in this area, but it may not fall in line with the stereotypes we are accustomed to. COMMISSIONER EVANS added that this is one of the first projects like this, and design standards must be taken into consideration.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 41 – VAR-4377

MINUTES – Continued:

CHAIRMAN TRUESDELL advised MR. LEOBOLD that the goal is to have staff and the applicant work together and come up with an agreeable solution and not continue to prolong the project. If this type of project is to be encouraged, then we have to show a willingness to understand the creativeness that goes into some of these projects.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 41 [VAR-4377], Item 42 [SUP-4376], Item 43 [VAC-4419] and Item 44 [SDR-4373].

(8:36 – 9:08)

2-2358

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-4376) and Site Development Plan Review (SDR-4373).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4377 - PUBLIC HEARING - SUP-4376 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED 30-UNIT MULTI-FAMILY LIVE/WORK DEVELOPMENT adjacent to the northwest corner of Carson Avenue and Maryland Parkway (APN: 139-34-712-111; 139-35-310-006 and a portion of 139-35-310-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/7/2004

MINUTES:

NOTE: See Item 41 [VAR-4377] for all related discussion.

(8:36 – 9:08)

2-2358

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-4373.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO VAR-4377 AND SUP-4376 - PUBLIC HEARING - VAC-4419 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of 11th Street between Carson Avenue and Fremont Street, Ward 5 (Weekly).

SET DATE: 06/16/2004

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/7/2004

MINUTES:

NOTE: See Item 41 [VAR-4377] for all related discussion on Item 41 [VAR-4377], Item 42 [SUP-4376], Item 43 [VAC-4419] and Item 44 [SDR-4373].

(8:36 – 9:08)

2-2358

CONDITIONS:

Planning and Development

1. This application shall be amended to vacate only 13-feet of the existing 25-foot radius corner, leaving a right-of-way radius of 12-feet, at the northeast corner of 11th Street and Carson Avenue. This vacation application must receive approval from the City Engineer to allow the reduced radius corner prior to the submittal of construction drawings for development overlying or abutting the area requested for vacation.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 43 – VAC-4419

CONDITIONS – Continued:

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for Site Development Plan Review SDR-4373 may be used to satisfy this condition, provided that the area requested for vacation is addressed within that study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4377 AND SUP-4376 - PUBLIC HEARING - SDR-4373 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 30-UNIT MULTI-FAMILY LIVE/WORK DEVELOPMENT on 1.66 acres adjacent to the northwest corner of Carson Avenue and Maryland Parkway (APN: 139-34-712-111; 139-35-310-006 and a portion of 139-35-310-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/7/2004

MINUTES:

NOTE: See Item 41 [VAR-4377] for all related discussion.
(8:36 – 9:08)

2-2358

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 44 – SDR-4373

CONDITIONS – Continued:

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect a decorative six-foot masonry wall along the north property line.
4. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 44 – SDR-4373

CONDITIONS – Continued:

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Dedicate a 25-foot radius on the northwest corner of Carson Avenue and Maryland Parkway prior to the issuance of any permits.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards. Construct all incomplete half-street improvements (sidewalk) on Carson Avenue, 11th Street and Maryland Parkway adjacent to this site concurrent with development of this site.
18. A Petition of Vacation, such as VAC-4104 or other Vacation Action to vacate conflicting rights-of-way, must record prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Carson Avenue, 11th Street, and Maryland Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 44 – SDR-4373

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4369 - APPLICANT: BOB SCHULMAN - OWNER: WINNIE SCHULMAN - Request for a Variance TO ALLOW A SIX-FOOT SIDE SETBACK FOR PROPOSED HOUSE ADDITIONS WHERE 10 FEET IS REQUIRED, AND TO ALLOW A SIX-FOOT FRONT WALL AND ENTRY GATE WHERE FOUR FEET IS THE MAXIMUM ALLOWED on 0.63 acres located at 3004 Campbell Circle (APN: 139-32-212-005) R-E (Residence Estates), Ward 1 (Moncrief).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with DAVENPORT abstaining as he owns a property within the notification area

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the application is for a reduction in the side yard setback and a request for a taller fence in the front. This site was the subject of a side yard Variance in 1991. At that time, the applicant requested a reduction on the side yard set back to 4-1/2 feet, but a 7-foot set back was granted. The applicant is now requesting that the set

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 45 – VAR-4369

MINUTES – Continued:

back be reduced to 6 feet because the initial application only allowed for a 7 foot set back and what was designed was a 6-foot set back. The maximum allowed is a four foot fence in which the top two feet have to be 50% solid. The applicant is proposing to have a six-foot fence, which the first 1-1/2 feet would be solid stucco block wall with 4-1/2 foot of iron fencing, which would be less than 50% solid, as this would meet the Code. The lot is large enough to develop the property without a Variance. Staff recommended denial since the conditions do not fall under NRS to grant the Variance.

MATT WARNER, 6600 W. Charleston, appeared on behalf BOB SCHULMAN. He stated that MR. SCHULMAN is proposing an extensive remodeling project to his home, which he has owned for approximately six years. His goal is to add another bedroom to accommodate family and friends who visit from time to time, and to redo the front and both sides of his home. The applicant feels that the proposed six-foot fence is consistent with other residences in the neighborhood.

COMMISSIONER STEINMAN stated that he viewed the property but did not see other residences with similar fences within the gated community. There were some six-foot fences down on Alta but not within this particular neighborhood. As a result, he would oppose this application because the applicant would be the only one in the neighborhood with the six-foot fence. MR. WARNER clarified that the Rancho/Nevada area is a large neighborhood. There are some sub-gated communities within the guard-gated area, and that is what the applicant is being consistent with.

CHAIRMAN TRUESDELL stated that he is familiar with this neighborhood and there has been no feedback or concerns from the residents. Reinvestment and expansions of some of the homes are encouraged. MR. WARNER informed the Commission that MR. SCHULMAN has been very active in speaking with the residents. His project is the third remodeling project on his cul-de-sac. The residents in the area are excited to see homeowners upgrade their homes.

MR. WARNER explained to COMMISSIONER McSWAIN that there are some private punch-gated cul-de-sacs within this community. COMMISSIONER McSWAIN commented that she has supported a lot of latitude on applications such as this one. With this property being located at the end of the cul-de-sac, she would support this application.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:08 – 9:16)

3-272

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 45 – VAR-4369

CONDITIONS:

Planning and Development

1. A side yard of no less than six feet along the westerly property line for the existing and proposed room additions as presented in the accompanying materials with this application.
2. Expiration of the Variance one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4384 - APPLICANT/OWNER: BRUCE AND LORI WERNER - Request for a Variance TO ALLOW A ZERO CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED IN CONJUNCTION WITH AN EXISTING CARPORT on 0.16 acres located at 4613 Del Monte Avenue (APN: 162-06-213-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief).

ABEYANCE TO JULY 8, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – HOLD IN ABEYANCE – UNANIMOUS

To be heard by the Planning Commission on 7/08/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the carport/overhang goes to the lot line and encroaches into the right-of-way. In addition, the structure has partially enclosed sides and has garage doors in the front, so it creates a visibility issue. The applicant has also constructed a fence in the area that encloses a streetlight. As a result, the hardships are self-imposed, and the application does not meet the standards of the NRS for granting a Variance. Staff recommended denial. If approved, subject to five conditions, which includes removing the portions of the roof enclosure and gates, trimming the edge of the carport so it does not encroach upon the public right-of-way, and removing the fence so that it provides access to the street light

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 46 – VAR-4384

MINUTES – Continued:

pole. In addition, Public Works has requested deletion of Condition 5.

BRUCE and LORI WERNER, 4613 Del Monte Avenue, showed photos of their property. MR. WERNER stated that they previously received a permit for the 6-foot wall on the side of their property. He indicated that there is not an easement for the utility company to replace electrical lines. A representative from “Call Before You Dig” came and marked the area off to prevent damaging any power, gas or telephone lines. He also stated that when he began remodeling his home, he contacted the telephone company to remove a power line from the center of his driveway. In addition, he contacted the water company to remove the meter from his property. MR. WERNER felt that he had done extensive research for this project and followed the proper procedures in proceeding with remodeling his home. He presented numerous photos to the Commission with homes in the neighborhood that have similar structures.

COMMISSIONER McSWAIN commented that MR. WERNER, even though received a permit for the block wall, he never obtained a permit for the additions.

MR. WERNER responded to COMMISSIONER STEINMAN that he does intend to finish the project and fill in the open space from the doorframe with windows. COMMISSIONER STEINMAN expressed concern about creating a room that becomes the house and takes the house out to the lot line. MR. WERNER replied that he could leave it open.

COMMISSIONER EVANS confirmed with MR. LEOBOLD that the property goes over the lot line. CHAIRMAN TRUESDELL then stated that the Commission does not have the authority, without a Vacation, to approve something that goes off the property and into the public right-of-way. DEPUTY CITY ATTORNEY BRYAN SCOTT concurred.

GINA VENGLASS, Public Works, indicated that the overhang is in the public right-of-way. The streetlight is enclosed within his fence and his property. With regards to the 3-foot easement behind the property line, there is no problem building over that.

CHAIRMAN TRUESDELL commented that the Commission needs to be sure that they do not create a liability for the City. DEPUTY CITY ATTORNEY SCOTT also stated that Building and Safety Department might not have had the opportunity to review this plan, and he believes it may not comply with the building standards, as it may a safety issue. MR. LEOBOLD added that once someone builds within 3 feet of the lot line, there must be a one-hour fire rating, which he doubts the wooden carport would have.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 46 – VAR-4384

MINUTES – Continued:

CHAIRMAN TRUESDELL suggested that the item be held for two weeks, as there are some questions that involve other departments. The applicant needs to meet with Building and Safety to ascertain if there is any way to make this work.. The applicant needs to meet with Public Works to find out exactly what setbacks are required and if there is any way to salvage what has been done without creating a liability for the City.

COMMISSIONER McSWAIN questioned how the light pole got situated inside the wall. MR. WERNER replied that it is a wrought iron fence that is around the light pole, which he is being requested to move. He will meet and work with Building and Safety to ensure that the City does not incur a liability. In addition, COMMISSIONER DAVENPORT suggested the applicant contact COUNCILWOMAN MONCRIEF’S office and discuss this project.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:16 – 9:31)

3-522

CONDITIONS:

Planning and Development

1. This Variance shall expire in two years unless it is exercised or an extension of time is granted by the City Council.
2. Acquire all necessary permits from the Department of Building and Safety.

Public Works

3. Remove those portions of the roof enclosure that overhang the public right-of-way and remove the gates with appurtenant hardware that encroach or overhang into the public right-of-way. Remove within 30 days of approval of this action.
4. Remove the fence blocking access to the street light pole within 30 days of approval of this action. A fence/wall may be installed around the lighting standard if the fence/wall is designed and constructed geometrically per Clark County Area Uniform Standard Drawings, Drawing #320A.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 46 – VAR-4384

CONDITIONS – Continued:

5. Resolve within 30 days of approval of this action concerns expressed in the comments below:

A three-foot wide utility easement was granted with the Plat Map filed October 7, 1963 (Book 9 Page 66 of Plats) along the western perimeter of this site. A public streetlight standard with the power service for the circuit and the electrical feeder exist within the easement. The streetlight standard and the electrical service point for the circuit has been fenced off and access is blocked at this time. The concern within the three-foot utility easement is the street lighting standard and the power service. We also note that utility agencies within the valley may have objections to enclosing or roofing portions of the utility easement and should be consulted. We also note that the roof enclosure and gates with appurtenant hardware have been installed within the limits of the existing rights-of-way.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4313 - APPLICANT: MARK FISHER - OWNER: BUFFALO WASHINGTON IV, LIMITED LIABILITY COMPANY
- Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM A PARCEL ZONED FOR RESIDENTIAL USE at 7455 West Washington Avenue (APN 138-27-301-020), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2.

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with STEINMAN not voting

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVEN SWANTON, Planning and Development, stated that this proposed massage establishment will offer medical-type massages. The proposed massage establishment will be located on property that is less than 400 feet from residential to the east of the proposed site. There is a parking garage in between what used to be the Buffalo drainage channel and the residential development. That is mitigated with screening from walls on the north and east property lines.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 47 – SUP-4313

MINUTES – Continued:

Therefore, staff recommended approval for the Special Use Permit.

MARK FISHER, 10329 Pompei Place, owner of Massage Pro, stated that currently there is one facility located at 5300 W. Sahara, next to Las Vegas Athletic Club. The proposed new location is unique to this industry, as it is the future of joining the traditional medical community with massage therapy.

MR. FISHER verified with CHAIRMAN TRUESDELL that their current location's hours of operations are from 11 a.m. to 7 p.m. The proposed new location will have extensive hours from 8 a.m. to 8 p.m. In addition, the proposed project will consist of medical billing and traditional walk-in therapeutic massages.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:31 – 9:35)

3-1037

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Massage Establishment use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-1830).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A Waiver is approved to the distance separation standard from residential uses.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4366 - APPLICANT: TAKE 1, INC. - OWNER: DARIO PINI - Request for a Special Use Permit FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT at 707 Fremont Street (APN: 139-34-612-005), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

NOTE: CHAIRMAN TRUESDELL disclosed that his office is located within the notification area. While he is in the process of relocating his office, the Entertainment District is defined and there should not be any issues with economics or personal involvement, so he will be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVEN SWANTON, Planning and Development, stated that this is a new concept that staff has been working on. This is the first establishment that falls under the Tavern Limited Special Use Permit. This type of use is encouraged in the Downtown Entertainment Overlay District. The proposed use is consistent with the Centennial Plan and the Redevelopment Area. This project is

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 48 – SUP-4366

MINUTES – Continued:

surrounded by other parcels zoned for similar uses. He emphasized that this project is located within the existing Days Inn Hotel building. The applicant is not doing any additional exterior work. They will be adding signage, which will be subject to review by the Downtown Entertainment Overlay District Design Review Committee. As part of the Entertainment Overlay District, no gaming will be allowed inside the establishment. Staff recommended approval.

GARY SAX, President, Take One, Inc., stated that the proposed club will be called “Take 1”. The applicant will be leasing from MR. PINI, who owns the entire complex.

MR. SAX clarified for COMMISSIONER GOYNES that their plan to attract tourists and locals. They are the first applicant to sign the lease and are now trying to start the establishment to achieve what the Entertainment District is trying to implement. They are like the role model for this area. MR. SAX also pointed out that the applicant is in the film industry and want to bring in the element of “Hollywood”, such as the name of the club, Take 1. They created the concept called “Movie-Okie”, which will offer people the chance to get on stage and perform as actors with the big screen behind the stage. COMMISSIONER GOYNES expressed concern about the individuals who walk up and down the street. MR. SAX replied that their goal is to upscale the area to bring in the middle to upper class, but to make the general public feel just as welcomed. COMMISSIONER EVANS wished good luck to the applicant.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:31 – 9:35)

3-1180

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 6.50.
2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 48 – SUP-4366

CONDITIONS – Continued:

5. Hours of operation shall be limited to 11:00 a.m. to 2:00 a.m. Sunday through Thursday and 11:00 a.m. to 4:00 a.m. Friday and Saturday

Public Works

6. Dedicate a 10-foot radius on the northeast corner of Carson Street and Seventh Street prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
7. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4314 - APPLICANT: AMERICAN PLAZA, LIMITED LIABILITY COMPANY - OWNER: BUILDING THE AMERICAN DREAM CORPORATION - Request for a Site Development Plan Review and Waivers of Perimeter Buffer and landscape standards FOR A PROPOSED 37,328 SQUARE-FOOT OFFICE BUILDING on a 1.63 acre site located west of Rancho Boulevard, approximately 200 feet north of Alexander Road (APN: 138-02-814-006), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining and McSWAIN abstaining as her company is currently bidding on another project for this same company

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 49 – SDR-4314

MINUTES – Continued:

STEVEN SWANTON, Planning and Development, stated that this is an in fill piece between two developed properties. The proposed building would go on the eastern portion of the site and would be five stories tall and 66 feet in height. The parking requirements for Title 19 would be met. MR. SWANTON explained that the proposed trash enclosure does not follow the same design theme of the building, which is composed of sleet material. Therefore, staff is requesting that the trash enclosure match the design theme. In addition, staff is requesting the applicant provide 24" box trees every 20 feet along Rancho.

The first Waiver request is to allow 6-foot landscape buffer along the north, south and west property lines, as the standard requirement is 8 feet. Staff can accept this Waiver, as it does not adversely affect the surrounding area.

The second Waiver request is to allow one 24" box tree every seven parking spaces, as the standard requirement is one 24" box tree every six parking spaces. Staff can also accept this Waiver, as the parking area would have an odd configuration having the 24" box trees every six parking spaces. Therefore, staff recommended approval of the Site Plan Review and the two Waivers.

ATTORNEY ANDRAS BABERO, 6741 W. Alexander Road, appeared on behalf of the applicant. He thanked staff for working diligently with the applicant on this project. This is a proposed five-story office building, which will be the applicant's headquarters. It is a beautiful structure and is compatible with the surrounding area. The applicant agrees to staff's recommendations.

COMMISSIONER STEINMAN stated that a five-story building sitting in front of Rancho will not look good. GARY LEOBOLD, Planning and Development Department, responded that the Commercial Design Standards encourage buildings to be pushed up in front of the lot. In addition, if the proposed building was on the west end of the lot, it may create a residential adjacency problem with the residential parcels to the west. With a building at 66 feet high like this project, there has to be at least 200 feet from the building to the residential property line.

COMMISSIONER STEINMAN then asked if the zoned C property to the west of this parcel was a sufficient buffer. MR. LEOBOLD replied that the Residential Adjacency Standards only deal with height and distance. COMMISSIONER STEINMAN commented that he prefers not encourage Rancho to become a street with buildings sitting right at the road. MR. LEOBOLD commented that the applicant could probably push the building back a little to have parking in the front. However, he reiterated that the Commercial Design Standards do encourage any commercial district to push the buildings to the front of their sites.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 49 – SDR-4314

MINUTES – Continued:

COMMISSIONER McSWAIN confirmed with ATTORNEY BABERO that this particular company is also developing apartments, in which her company is bidding on another project for this same company. Therefore, she would abstain from voting on this item.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(9:40 – 9:49)

3-1367

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to reflect the redesign of the trash enclosure so that its façade is similar to the main structure as required by Title 19 Commercial Development Standards.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Rancho Drive.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 49 – SDR-4314

CONDITIONS – Continued:

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 49 – SDR-4314

CONDITIONS – Continued:

17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
18. In accordance with the intent of a commercial subdivision, this pad site shall have perpetual common access to all driveways connecting this overall subdivision to the abutting public streets.
19. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
21. Site development to comply with all applicable conditions of approval for the Rancho Town and Country Shopping Center and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4362 - APPLICANTS/OWNERS: DELORES MOSELEY AND PRAISE TEMPLE CHURCH OF GOD IN CHRIST, ET AL - Request for a Site Development Plan Review, a Waiver of the Parking Lot Landscaping Standards, and a Reduction in the amount of required Perimeter Landscaping FOR A PROPOSED 4,080 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP 0.32 acres at 300 and 304 Madison Avenue (APN: 139-27-211-006 and 007), R-4 (High Density Residential) Zone, Ward 5 (Weekly).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 50 – SDR-4362

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 50 [SDR-4362] and Item 51 [VAC-4476].

STEVEN SWANTON, Planning and Development, stated that the Vacation would allow for six additional parking spaces along the eastern edge of the property, which is adjacent to C Street. In addition, it would also provide additional landscaping along the southern edge, which is along Madison. The subject rights-of-way is not necessary and will not result in a change in the curb line along the corner. The traffic handling capabilities will not be compromised nor will this request eliminate public street access to any of the abutting parcels. Staff recommended approval and Public Works will be adding a condition.

The Site Plan Review is contingent upon the Vacation; otherwise, the applicant would not be allowed to go within the right-of-way. One of the parking spaces is too narrow, so there should be only six, and not seven parking spaces. There are two separate owners of the parcels, so staff is recommending a shared parking agreement between the two owners with the City as a party to it, in case the two owners may want to cancel the agreement. The applicant is also asking for Waivers for the landscaping along the perimeter and parking area. Staff is recommending additional trees placed along the east property line to eliminate the deficiency. Staff recommended approval.

LAFAYETTE MOSLEY, Pastor, Praise Temple Church of God in Christ, 2902 Gilmore Avenue, North Las Vegas agreed to comply with all conditions. Members of this church do not come from other churches, but live in the neighborhood. They are enhancing the lives of people and placing them back into the mainstream of society so that they will become self-sufficient.

GINA VENGLASS, Public Works, read into the record an added condition for the Vacation. PASTOR MOSELY agreed to fully comply with all of the requirements by the City.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 50 [SDR-4362] and Item 51 [VAC-4476].

(9:49 – 9:56)

3-1688

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 50 – SDR-4362

CONDITIONS – Continued:

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. The requested landscaping and buffering waivers are approved as requested and as reflected on the site plan, except as amended by conditions herein.
3. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the appropriate number of parking spaces along the east perimeter of the site and to show a roofed trash enclosure that meets the standards of the Code.
4. A shared parking agreement between the two owners, containing the legal description of both parcels shall be recorded in the office of the County Recorder. The City shall be a party to the agreement to avoid the mutual cancellation of the agreement between the two owners.
5. Prior to the issuance of a building permit, a revised landscape plan, showing a maximum of 12.5% of the total landscaped area as turf, shall be submitted to and approved by the Department of Planning and Development staff.
6. The landscape plan shall be revised to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The plan shall be approved by the Planning and Development Department staff prior to the time application is made for a building permit,. The planter along the eastern property boundary shall extend the full length of the parcel and be landscaped to meet Code standards.
7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.
8. The freestanding or monument sign indicated at the southwest corner of the development on the site plan shall be dimensioned, and this and any additional signage shall be subject to the dimensional standards for the R-4 (High Density Residential) zoning district contained in Title 19.14.060.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 50 – SDR-4362

CONDITIONS Continued:

9. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of the abutting streets.
10. Wall pack lighting shall utilize “shoe-box” fixtures and downward-directed lights on the proposed building. Property lighting shall be directed away from residential property or screened and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
13. All City Code requirements and design standards must be satisfied..

Public Works

14. A Petition of Vacation, such as VAC-4476, shall be recorded prior to the issuance of any permits for this site. If a vacation for this site is not approved or not recorded this site plan shall be revised to remove all parking from the existing right-of-way.
15. Dedicate a 20 foot radius at the northwest corner of Madison Avenue and C Street. If a Vacation is recorded at this location a 20 foot radius shall be retained and this site will be responsible for dedicating any additional remnants needed to complete the 20 foot radius.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO SDR-4362 - PUBLIC HEARING - VAC-4476 -
APPLICANT: JERRY MICELI - OWNER: DELORES MOSELEY AND PRAISE
TEMPLE CHURCH OF GOD IN CHRIST, ET AL - Petition to Vacate portions of Madison
Avenue and C Street, Ward 5 (Weekly).

SET DATE: 06/16/2004/

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and adding the following condition:

- *Prior to recordation of an Order of Vacation, the applicant shall, by survey, perform by a registered professional land surveyor establish the actual boundaries of existing improvements adjacent to this site to the satisfaction of the City Engineer, and this Vacation application shall be amended to vacate only such access right-of-way that extends beyond five feet behind existing curb.*

– UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

NOTE: See Item 50 [SDR-4362] for all related discussion.

(9:49 – 9:56)

3-1688

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 51 – VAC-4476

CONDITIONS:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
3. All development shall be in conformance with Code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4372 - APPLICANTS/OWNERS: RONALD & CHRISTINE REYNOLDS AND MATTHEW CALLISTER - Request for a Site Development Plan Review and a Reduction in the amount of perimeter landscaping and buffering FOR A PROPOSED 40,000 SQUARE-FOOT PROFESSIONAL OFFICE BUILDING on 0.32 acres located at 823 South Las Vegas Boulevard (APN: 139-34-410-249 & 172), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C. 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/7/2004

NOTE: COMMISSIONER McSWAIN disclosed that she has been represented in the past by MR. CALLISTER and MR. REYNOLDS, but has had no business relationships with them for a number of years, so she will be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 52 – SDR-4362

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that this application will replace the one story law office building on the site with a four-story structure. The main level will be parking. Title 19.08.06, which applies to the Downtown Overlay District, allows for sites to be exempt from the automatic application of the number of Title 19 standards, such as residency adjacency set backs, landscaping, buffering and on site parking.

MR. LEOBOLD added that the applicant has provided parking and requested a Waiver of landscaping and the buffer. The applicant will provide along Las Vegas Boulevard trees and streetscape improvements to meet the standards for the Las Vegas Boulevard corridor. Because of the location of the building and the proposed streetscape improvements, the request for the other exemptions is appropriate. Staff recommended approval.

MICHELLE TIANGO, Welles-Pugsley Architects, appeared on behalf of the applicant together with the owner, PHIL HARDY. MS. TIANGO stated that this will be four-story office building with parking on the ground floor. MS. TIANGO agreed with staff's recommendations, with the exception of the loading zone, which is not designed into this plan. She requested that that be waived because it is not necessarily a function that a law office would need. The upper two stories would be professional offices and the tenant would occupy the fourth floor. There is a pop out with a balcony accessible from the roof along the elevation, which is over a five-foot right-of-way. The owners would allow for this to be removed from their property, and an encroachment agreement will be signed with the City to minimize the liability issue.

MR. LEOBOLD discussed with COMMISSIONER McSWAIN that staff did not feel that the 25 x 15 foot loading zone was necessary. However, staff is concerned as to how the supplies will be delivered to the building.

PHIL HARDY, 6154 Coley Avenue, stated there are no parking requirements, but they are needed for tenants. The applicant is including parking spaces as well as handicapped spaces. There is additional parking a half street away. They are willing to work with staff on accommodating truck deliveries.

COMMISSIONER McSWAIN suggested leaving the condition as is, and the applicant to work with staff on accommodating deliveries at the site. MR. HARDY concurred.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:56 – 10:01)

3-1960

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 52 – SDR-4362

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. The requested landscaping and buffering waivers are approved as requested and as reflected on the site plan, except as amended by conditions herein.
3. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the appropriate number of parking spaces along the east perimeter of the site and to show a roofed trash enclosure that meets the standards of the Code.
4. A shared parking agreement between the two owners, containing the legal description of both parcels shall be recorded in the office of the County Recorder. The City shall be a party to the agreement to avoid the mutual cancellation of the agreement between the two owners.
5. Prior to the issuance of a building permit, a revised landscape plan, showing a maximum of 12.5% of the total landscaped area as turf, shall be submitted to and approved by the Department of Planning and Development staff.
6. The landscape plan shall be revised to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The plan shall be approved by the Planning and Development Department staff prior to the time application is made for a building permit,. The planter along the eastern property boundary shall extend the full length of the parcel and be landscaped to meet Code standards.
7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.
8. The freestanding or monument sign indicated at the southwest corner of the development on the site plan shall be dimensioned, and this and any additional signage shall be subject to the dimensional standards for the R-4 (High Density Residential) zoning district contained in Title 19.14.060.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 52 – SDR-4362

CONDITIONS – Continued:

9. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of the abutting streets.
10. Wall pack lighting shall utilize “shoe-box” fixtures and downward-directed lights on the proposed building. Property lighting shall be directed away from residential property or screened and shall not create fugitive lighting on adjacent properties.
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12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
13. All City Code requirements and design standards must be satisfied.

Public Works

14. A Petition of Vacation, such as VAC-4476, shall be recorded prior to the issuance of any permits for this site. If a vacation for this site is not approved or not recorded this site plan shall be revised to remove all parking from the existing right-of-way.
15. Dedicate a 20 foot radius at the northwest corner of Madison Avenue and C Street. If a Vacation is recorded at this location a 20 foot radius shall be retained and this site will be responsible for dedicating any additional remnants needed to complete the 20 foot radius.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - TEXT AMENDMENT - TXT-4429 - PUBLIC HEARING - CITY OF LAS VEGAS - Discussion and possible action to Amend Title 19.04.040 to allow the keeping of two horses on residential lots with a minimum net area of 18,000 square feet.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

ABEYANCE TO JUNE 24, 2004 PC MEETING

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – HOLD IN ABEYANCE – UNANIMOUS

To be heard by the Planning Commission on 6/24/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Acting Director, Planning and Development, corrected an item on the staff report, which states that the minimum net area of square footage is 18,500; however, it should reflect 18,000 square feet as it is stated in the notice. She also stated that the current Code allows three horses on a half-acre in the URA and R-E. This application would allow, specifically two horses, on 18,000 square foot lots in the R-D and R-1 zoning areas. For clarification, it is 18,000 net square feet, which would be private property and not to the half street.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 53 – TXT-4429

MINUTES – Continued:

CHAIRMAN TRUESDELL clarified that any R-1 residential lot in the City of Las Vegas that is 18,000 net square feet can now have two horses. MS. WHEELER stated that it would be with a Conditional Use Permit, but the other conditions regarding structures and corrals, are still within the Code. CHAIRMAN TRUESDELL understands this is a Council initiative, but many people that have homes that do not expect anybody to ask for a use permit for horses.

COMMISSIONER EVANS asked staff if this was developed to minimize a problem that previously existed. MS. WHEELER responded that it was developed in order to respond to requests from persons who have these size lots in the zoning designations and would like to be able to have horses. MS. WHEELER also noted that there must have been a sufficient amount of requests; otherwise, Council would not have requested this.

MS. WHEELER clarified with CHAIRMAN TRUESDELL that this ability currently exists only within R-A and R-E zoning, which are at least 20,000 square foot lots. She also stated that if the Commission feels uncomfortable with the addition of the R-1, but comfortable with the R-D, staff could certainly forward the recommendation to Council.

VICE CHAIRMAN NIGRO verified with MS. WHEELER that the same analysis would occur when reviewing a request like this. One of the issues would still include making sure the application is compatible with the surrounding neighborhood.

CHAIRMAN TRUESDELL commented that some residents prefer the open space that comes with an R-E lot. If the homes on a particular lot were never built and never envisioned to have horses on these properties, eventually someone will want horses in an area that was never anticipated. He is concerned about potentially seeing many Special Use Permit applications, which will create compatibility issues. This should be a long-term planning issue, as he does not see this as being R-E. A problem would be created in some of these R-1 neighborhoods that was never planned.

DEPUTY CITY ATTORNEY SCOTT commented that this is not a Special Use Permit but a Conditional Use Permit, as it will require lower thresholds. COMMISSIONER McSWAIN concurred with CHAIRMAN TRUESDELL'S comment that more consideration should be given to this item. She suggested a sample criteria regarding R-1 developments, such as the only developments eligible would have to be those that are near a trail or a future trail that is already part of a trail planned for development. This way, the decision is not solely based on compatibility issues. She suggested the item go back to the Council for clarification.

PLANNING COMMISSION MEETING OF JUNE 10, 2004
Planning and Development Department
Item 53 – TXT-4429

MINUTES – Continued:

MR. LEOBOLD explained to COMMISSIONER STEINMAN that when an applicant does not meet the conditions, the application then requires a Special Use Permit. CHAIRMAN TRUESDELL then added that if this item is approved as a Conditional Use Permit, the thresholds are different than a Special Use Permit. The residents in R-E zone already anticipate the possibility of horses in the area. However, residents in a R-1 zone did not expect to have horses in their area. His concern is not to create undue hardships on property owners who never anticipated this happening.

COMMISSIONER McSWAIN concurred and suggested holding the item in abeyance for two weeks to allow staff to confer with the Council to hear the Commissioners' concerns and provide input.

(10:01 – 10:15)

3-2209



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JUNE 10, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

MARGO WHEELER, Acting Director, Planning and Development, reminded the Commission that the Planning Commission Workshop will begin approximately 11:30 a.m. on July 15th, and the entire day on July 8th. CHAIRMAN TRUESDELL replied that he would not be able to attend.

COMMISSIONER McSWAIN requested that staff work on developing certain language that would allow certain trail adjustments to be done without a General Plan Amendment. MS. WHEELER responded that this is not possible, as trails are adopted by GPAs.

(10:15 – 10:16)

3-2814

MEETING ADJOURNED AT 10:16 P.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

ARLENE COLEMAN, DEPUTY CITY CLERK